

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BURDICK: Committee on Indian Affairs. S. 1793. An act to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California", approved May 18, 1928 (45 Stat. L. 602); with amendment (Rept. No. 1902). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. H. R. 1401. A bill to authorize the erection of a tablet in the Washington Monument in honor of those who served in the armed forces of the United States during the World War; with amendment (Rept. No. 1905). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. S. 3137. An act for the relief of Pauline McKinney; with amendment (Rept. No. 1904). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. YOUNG: A bill (H. R. 9246) to require that each officer of the Army, Navy, and Marine Corps shall wear the uniform of his service while on duty; to the Committee on Military Affairs.

By Mr. CARTWRIGHT: A bill (H. R. 9247) to grant to the citizens of the Choctaw and Chickasaw Tribe of Indians, recognized as members of the several tribes of Indians of the Five Civilized Tribes of the State of Oklahoma, the right, freedom, and liberty to create and organize a commission, and for other purposes; to the Committee on Indian Affairs.

By Mr. KELLER: A bill (H. R. 9248) to improve the navigability and provide for the flood control of the middle Mississippi River; to provide for the reforestation and the use of marginal lands, and for the agricultural and industrial development of the middle Mississippi River Basin; to provide for the conservation and utilization of the coal and other fuel resources of such basin in cooperation with the municipalities, counties, districts, and other political subdivisions of the States therein; and for the development of electrical power in such basin; and for other purposes; to the Committee on Flood Control.

By Mr. PEARSON: A bill (H. R. 9258) to create United States Civil Service boards of appeals; to the Committee on the Civil Service.

By Mr. DISNEY: A bill (H. R. 9259) establishing the National Academy of Public Affairs; to the Committee on Education.

By Mr. RAMSPECK: A bill (H. R. 9260) to provide for the extension of the Classification Act of 1923, as amended, to the field services and other establishments of the Government; to amend the Classification Act of 1923, as amended; and for other purposes; to the Committee on the Civil Service.

By Mr. DISNEY: A bill (H. R. 9261) to amend section 10 of the act of March 20, 1933, entitled "An act to maintain the credit of the United States Government", and designated as Public Law No. 2, of the Seventy-third Congress; to the Committee on Expenditures in the Executive Departments.

By Mr. COLE of Maryland: Joint resolution (H. J. Res. 407) consenting to an interstate oil compact to conserve oil and gas; introduced and passed.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAVENS: A bill (H. R. 9249) to provide for a preliminary examination and survey of the Little Missouri

River in Pike County, Ark., to determine the feasibility of cleaning out the channel and leveeing the river and the cost of such improvements with a view to the controlling of floods; to the Committee on Flood Control.

Also, a bill (H. R. 9250) to provide for a preliminary examination and survey of the Petit Jean River in Scott and Logan Counties, Ark., to determine the feasibility of cleaning out the channel and leveeing the river and the cost of such improvements with a view to the controlling of floods; to the Committee on Flood Control.

By Mr. DISNEY: A bill (H. R. 9251) for the relief of Marion S. Williams; to the Committee on Military Affairs.

By Mr. HARTLEY: A bill (H. R. 9252) granting the Purple Heart to William J. Murphy; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H. R. 9253) granting an increase of pension to Lorena M. Haskins; to the Committee on Invalid Pensions.

By Mr. STEFAN: A bill (H. R. 9254) authorizing the county of Dakota, State of Nebraska, to construct, maintain, and operate a bridge across the Missouri River at or near the cities of South Sioux City, Nebr., and Sioux City, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. STUBBS: A bill (H. R. 9255) for the relief of Amanda Vickers Boyd; to the Committee on Pensions.

By Mr. WOLVERTON: A bill (H. R. 9256) granting an increase of pension to Anna M. W. Diggles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9257) for the relief of Louise D. Goldsberry; to the Committee on Claims.

SENATE

MONDAY, AUGUST 26, 1935

(Legislative day of Monday, July 29, 1935)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2324) to incorporate the Military Order of the Purple Heart.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 1575. An act for the relief of John S. Cannell, deceased;

H. R. 1912. An act for the relief of William J. Ryan, chaplain, United States Army;

H. R. 3109. An act for the relief of Herman W. Bense;

H. R. 3149. An act to confer jurisdiction upon the United States District Court for the Southern District of Texas, Corpus Christi division, to determine the claim of Mrs. L. B. Gentry;

H. R. 4567. An act for the relief of Robert E. Callen;

H. R. 4770. An act for the relief of Elinora Fareira and Mearon Perkins;

H. R. 5097. An act for the relief of Mary E. Lord;

H. R. 5521. An act for the relief of Frank Williams;

H. R. 5750. An act for the relief of Mary Brown Raley;

H. R. 6250. An act to amend the National Defense Act;

H. R. 7140. An act for the relief of the Bell Oil & Gas Co.;

H. R. 8133. An act to authorize certain homestead settlers or entrymen who are disabled World War veterans to make final proof of their entries, and for other purposes;

H. R. 8444. An act to authorize the transfer of a certain military reservation to the Department of the Interior; and

H. R. 8870. An act to further protect the revenue derived from distilled spirits, wine, and malt beverages, to regulate interstate and foreign commerce and enforce the postal laws with respect thereto, to enforce the twenty-first amendment, and for other purposes.

RECESS

Mr. ROBINSON. I move that the Senate take a recess until 5 o'clock this afternoon.

The motion was agreed to; and (at 12 o'clock and 1 minute p. m.) the Senate took a recess until 5 o'clock p. m.

AFTER RECESS

On the expiration of the recess the Senate reassembled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hattigan, one of its reading clerks, announced that the House had passed the bill (S. 994) to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 40), in which it requested the concurrence of the Senate, as follows:

Resolved by the House of Representatives (the Senate concurring). That the two Houses of Congress shall adjourn on Monday, the 26th day of August, 1935, and that when they adjourn on said day they stand adjourned sine die.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson	Russell
Ashurst	Copeland	King	Schall
Austin	Costigan	La Follette	Schwellenbach
Bachman	Davis	Lewis	Sheppard
Bailey	Dickinson	Logan	Shipstead
Barkley	Donahay	Loneragan	Smith
Black	Fletcher	Long	Steiwer
Bone	Frazier	McAdoo	Thomas, Okla.
Borah	George	McCarran	Thomas, Utah
Brown	Gerry	McGill	Townsend
Bulkley	Gibson	McKellar	Trammell
Bulow	Glass	Maloney	Truman
Burke	Gore	Minton	Tydings
Byrd	Guffy	Murray	Wagner
Byrnes	Hale	Norbeck	Walsh
Capper	Harrison	Norris	Wheeler
Caraway	Hatch	O'Mahoney	White
Chavez	Hayden	Pittman	
Clark	Holt	Robinson	

Mr. LEWIS. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Massachusetts [Mr. COOLIDGE], the Senator from Illinois [Mr. DIETERICH], the Senator from Wisconsin [Mr. DUFFY], the Senator from New Jersey [Mr. MOORE], the Senator from Iowa [Mr. MURPHY], the Senator from West Virginia [Mr. NEELY], the Senator from Louisiana [Mr. OVERTON], the Senator from Idaho [Mr. POPE], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Indiana [Mr. VAN NUYS], and the Senator from North Carolina [Mr. REYNOLDS] are necessarily detained from the Senate.

Mr. AUSTIN. I announce that the Senator from Oregon [Mr. McNARY], the Senator from New Jersey [Mr. BARBOUR], the Senator from Wyoming [Mr. CAREY], the Senator from Delaware [Mr. HASTINGS], the Senator from New Hampshire [Mr. KEYES], the Senator from North Dakota [Mr. NYE], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Rhode Island [Mr. METCALF] are necessarily absent from the Senate, and that the Senator from Michigan [Mr. COUZENS] is absent on account of illness.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who announced that the President had approved and signed the following acts and joint resolutions:

On August 21, 1935:

S. 3311. An act to amend an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437; U. S. C., title 30, secs. 185, 221, 223, 226), as amended.

On August 23, 1935:

S. 634. An act to authorize the sale of a portion of the Fort Smith National Cemetery Reservation, Ark., and for other purposes;

S. 985. An act for the relief of Hudson Bros., of Norfolk, Va.;

S. 1988. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.;

S. 2312. An act for the relief of the Western Construction Co.;

S. 3050. An act granting the consent of Congress to the States of New York and Vermont to construct, maintain, and operate a bridge across Lake Champlain between Rouses Point, N. Y., and Alburg, Vt.;

S. 3060. An act to amend section 6 of title I of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, as amended; to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed; and for other purposes;

S. 3105. An act to amend the act approved June 12, 1934, relating to the granting of the consent of Congress to certain bridge construction across the Tennessee River at a point between the city of Sheffield, Ala., and the city of Florence, Ala.;

S. J. Res. 59. Joint resolution providing for the preparation and completion of plans for a comprehensive observance of the one hundred and fiftieth anniversary of the formation of the Constitution of the United States; and

S. J. Res. 122. Joint resolution granting the consent of Congress to the States of New York and Vermont to enter into an agreement amending the agreement between such States consented to by Congress in Public Resolution No. 9, Seventieth Congress, relating to the creation of the Lake Champlain Bridge Commission.

On August 24, 1935:

S. 2743. An act to authorize the erection of a suitable memorial to Maj. Gen. George W. Goethals within the Canal Zone;

S. 3135. An act to authorize the purchase of the *Winnie Mae* by the Smithsonian Institution;

S. 3123. An act to provide for the relief of public-school districts and other public-school authorities, and for other purposes; and

S. J. Res. 69. Joint resolution to provide for the erection of a suitable memorial to the Fourth Division, American Expeditionary Forces.

On August 26, 1935:

S. 414. An act to convey certain lands and buildings to the city of Reno, Nev.;

S. 946. An act to amend sections 3 and 4 of the act of July 3, 1930, entitled "An act for the rehabilitation of the Bitter Root irrigation project, Mont.";

S. 1483. An act for the relief of William E. Williams;

S. 1787. An act to add certain lands to the Pisgah National Forest in the State of North Carolina;

S. 1817. An act conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claim of Squaw Island Freight Terminal Co., Inc., of Buffalo, N. Y., against the United States in respect of loss of property occasioned by the breaking of a Government dike on Squaw Island;

S. 2608. An act to authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the act of June 7, 1924, but who have been found entitled to awards under said act as supplemented by the act of May 31, 1933;

S. 2626. An act to authorize the sale of Federal buildings;

S. 2652. An act to authorize the President to attach certain possessions of the United States to internal-revenue collection districts for the purpose of collecting processing taxes;

S. 2761. An act conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon;

S. 2796. An act to provide for control and regulation of public-utility holding companies, and for other purposes;

S. 2867. An act to reenact section 463 of the act of Congress entitled "An act to define and punish crime in the District of Alaska and to provide a code of criminal procedure for said district", approved March 3, 1899, and for other purposes;

S. 3286. An act to abolish the oath required of customs and internal-revenue employees prior to the receipt of compensation, and for other purposes;

S. 3374. An act for the relief of the State of Indiana; and

S. 3386. An act for the relief of Helen Gallagher Dominian.

SUPPLEMENTAL ESTIMATE—EXPENSES OF THIRD WORLD POWER CONFERENCE (S. DOC. NO. 138)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, fiscal year 1936, to remain available until June 30, 1937, amounting to \$75,000, for the expenses of the Third World Power Conference, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE—CELEBRATION OF ANNIVERSARY OF HERNANDO DE SOTO EXPEDITION (S. DOC. NO. 137)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate for the Department of State, fiscal year 1936, amounting to \$5,000, for the expenses of a commission to make a study pertaining to the celebration of the four hundredth anniversary of the expedition of Hernando De Soto, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

PETITION AND MEMORIAL

The VICE PRESIDENT laid before the Senate the memorial of members of Utica Centre, Brooklyn, N. Y., protesting against alleged actions of the State Department in reference to the arrest of anti-Nazi demonstrators on board the steamship *Bremen* on July 26, 1935, and also against the alleged lack of action by the State Department in the case of Lawrence B. Simpson, American seaman-citizen, now in the hands of the German Government, who was arrested off the steamship *Manhattan* in Hamburg, Germany, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a petition of several citizens of Shelbyville, Ind., praying for an investigation of charges filed by the Women's Committee of Louisiana relative to the qualifications of the Senators from Louisiana (Mr. LONG and Mr. OVERTON), which was referred to the Committee on Privileges and Elections.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on August 24, 1935, that committee presented to the President of the United States the following enrolled bills and joint resolutions:

S. 872. An act for the allowance of certain claims for extra labor above the legal day of 8 hours at the several navy yards and shore stations certified by the Court of Claims;

S. 2002. An act to provide for the establishment of load lines for American vessels in the coastwise trade, and for other purposes;

S. 2215. An act to amend the act entitled "An act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929, as amended;

S. 2632. An act to provide for the construction of 10 vessels for the Coast Guard designed for ice-breaking and assistance work;

S. 2652. An act to authorize the President to attach certain possessions of the United States to internal-revenue collection districts for the purpose of collecting processing taxes;

S. 2796. An act to provide for the control and elimination of public-utility holding companies operating, or marketing securities, in interstate and foreign commerce and through the mails, to regulate the transmission and sale of electric

energy in interstate commerce, to amend the Federal Water Power Act, and for other purposes;

S. 3002. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto;

S. 3210. An act to refer the claim of the Menominee Tribe of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States;

S. 3286. An act to abolish the oath required of customs and internal-revenue employees prior to the receipt of compensation, and for other purposes;

S. 3303. An act to amend the act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings;

S. 3327. An act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Light-house Reservation, Fla., and for other purposes;

S. 3414. An act to provide for the appointment of an additional district judge in the United States District Court for the Eastern District of New York;

S. 3446. An act relative to limitation of shipowners' liability;

S. J. Res. 9. Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally;

S. J. Res. 159. Joint resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission; and

S. J. Res. 173. Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORBECK:

A bill (S. 3470) for the relief of Axel J. Beck; to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 3471) for the relief of George Jacobson as father and natural guardian of Harold Jacobson, a minor, of Brooklyn, N. Y.; to the Committee on Claims.

A bill (S. 3472) to provide a preliminary examination of Onondaga Creek, in Onondaga County, State of New York, with a view to the control of its floods; to the Committee on Commerce.

A bill (S. 3473) to amend section 601 (c) (2), title IV, of the Revenue Act of 1932, as amended; to the Committee on Finance.

TAXATION OF INTOXICATING LIQUOR—AMENDMENT

Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill (H. R. 9185) to insure the collection of the revenue on intoxicating liquor, to provide for the more efficient and economical administration and enforcement of the laws relating to the taxation of intoxicating liquor, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

INVESTIGATION OF AIR MAIL AND OCEAN MAIL CONTRACTS—LIMIT OF EXPENDITURES

Mr. McCARRAN submitted the following resolution (S. Res. 204), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures authorized by Senate Resolution 349, Seventy-second Congress, second session, agreed to February 25, 1933, and supplemental resolutions relating thereto, is hereby increased by \$5,000.

STATUS OF SUPPLEMENTAL DEFICIENCY APPROPRIATION BILL

Mr. ROBINSON. Mr. President, it does not appear to me to be necessary to review at length the proceedings in the Senate under which the concurrent resolution providing for final adjournment last Saturday was reconsidered and the proceedings, by reason of which the deficiency appropriation bill was placed in a confused situation. My object now is to make a brief statement concerning the subject.

The House has adopted a second concurrent resolution of adjournment identical with that which was transmitted to the Senate last Saturday, with the exception that the time for adjournment is fixed as of this date.

A number of Senators profoundly interested in the subject matter of the controversy relating to the Byrnes amendment and the deficiency appropriation bill have been working since the recess today of the Senate in the hope that some arrangement might be effected under which it may be possible to pass the deficiency appropriation bill.

I stated on last Saturday that the Executive and some others believe it may be possible to carry on certain activities, including those pertaining to social-security legislation, during the vacation of the Congress without enactment of the provisions of the deficiency bill relating to that and other subjects. It is the general opinion that such a course would be attended with difficulties and may be surrounded with a measure of doubt.

It seems to me that a tentative arrangement is in contemplation, under which the deficiency bill may be passed, but if that cannot be done it will be necessary for the Senate to consider the new resolution of adjournment.

Before proceeding to any request relating to the bill, it should be stated that the Agricultural Department has announced a modified plan for loans on cotton. This plan does not contemplate any change in the method of dealing with the subject of wheat. It is to be remembered that wheat is in a different situation from cotton. The Government, as such, is not making loans on wheat, and it is my understanding that the market price of wheat is substantially at parity.

The arrangement regarding cotton, briefly stated, is as follows:

The plan recently announced, the plan which occasioned the controversy which now exists in the Congress over the subject of cotton loans, is to be revised and put into effect just as speedily as the machinery that is necessary may be set up. Instead of making loans at the rate of 9 cents per pound, the rate is to be 10 cents per pound, and the cotton producer is to be paid the difference between the sale price of his cotton, based on an average obtained daily, and the price of 12 cents. The effect of the arrangement would be to give to the producer 12 cents per pound. None will get more, the problem being worked out on the basis of middling cotton.

In order that there may be no uncertainty as to what may be expected, I shall read a memorandum which has been presented to me. This is the announcement by the Department of Agriculture:

The objective of the Agricultural Adjustment Administration has been to get an average return of at least 12 cents for the producers of $\frac{3}{8}$ -inch Middling cotton. The plan announced last week would have obtained this result, but further study shows that certain modifications of this plan will make it simpler to understand and more equitable to individual growers, and will make clear to each producer, when he markets his cotton, the exact amount he will receive for it.

Under the previous plan it would have been possible for growers of $\frac{3}{8}$ -inch Middling cotton to receive, because of Government aid, more than 12 cents per pound for their crops and also for some to receive less than 12 cents per pound. The new plan proposes a loan of 10 cents per pound for $\frac{3}{8}$ -inch Middling cotton, and the total received by the growers of such cotton cannot exceed 12 cents per pound. It will make more certain the amount each grower will receive for his cotton.

Instead of making the adjustment payment on the basis of the 4 months' average of the 10-point spot markets, this adjustment agreement will now be based on the daily average of the 10-point spot markets. In other words, the adjustment payment will be made on the basis of the 10-point spot markets' average of the actual days the cotton is sold by the producer.

These adjustment payments will be made through the cotton year up to August 1, 1936. As before stated, they will be made to those producers who have cooperated in the adjustment program and who agreed to participate in the 1936 crop program.

This program of loans and adjustment of the 1935 crop will go into effect as soon as it is physically possible to set up the new machinery. The loan form will be available for the 10-cent loan during the week of September 2. This will be restricted to actual production not in excess of the Bankhead allotment.

It is my purpose to propose to recall from the House of Representatives the deficiency appropriation bill. It seems proper to state in advance of the request or motion for that action that a proposal will be made to reconsider what may be known as the "cotton and wheat amendments" to the deficiency appropriation bill. If that is done, the bill may be passed and returned to the House of Representatives, which body, I hope, will concur in the remaining Senate amendments and pass the bill.

It seems to me it should be stated that I have no assurance that all of the remaining amendments—that is, the amendments which the Senate adopted other than the cotton and wheat amendments—will be concurred in, but it is in contemplation that this may be proposed to the House.

Having in mind all the facts which have been stated, I now enter a motion to reconsider the vote by which the deficiency bill passed the Senate, and I ask unanimous consent that the House of Representatives be requested to return the bill.

The VICE PRESIDENT. Is there objection?

Mr. SCHWELLENBACH. Mr. President, may I propound an inquiry to the Senator from Arkansas?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Washington?

Mr. ROBINSON. Certainly.

Mr. SCHWELLENBACH. I ask the Senator if there has been anything in the negotiations today which contemplates the same consideration toward the producers of wheat in the Pacific Northwest as is contemplated for the producers of cotton?

I may say to the Senator that it is my feeling that the reason why the people engaged in the production of cotton are entitled to particular consideration from the Congress or from the administration is the percentage of their production which must necessarily go into foreign export.

We in the Pacific Northwest who produce wheat, which is a wheat of low standard, and who are confronted by the high railroad rate to the eastern market, must necessarily look to the foreign markets for the utilization of a great percentage of our product. It is my feeling that the wheat producers of the Pacific Northwest are entitled to the same sort of consideration as is accorded the cotton producers of the South.

I should like to know whether in the negotiations today the Department of Agriculture has given any consideration to that particular problem so far as the wheat producers of the Pacific Northwest are concerned?

Mr. ROBINSON. The subject of wheat loans already has been briefly discussed. As I stated in the beginning of my remarks there is nothing in the agreement as revised which obligates the Government to make loans on wheat. The practice heretofore has prevailed of making advances under conditions with which the Senator is probably more familiar than am I, and the market price of wheat is substantially at parity. The arrangement contemplates a rescission of the two amendments to which I have referred.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Nebraska?

Mr. ROBINSON. Certainly.

Mr. NORRIS. Under the rules of the Senate why does the Senator ask unanimous consent to recall the bill? Is it not in order to make a motion to recall it?

Mr. ROBINSON. Certainly it is in order, but if consent is given, it will not be necessary to make the motion.

Mr. LONG. I object.

Mr. ROBINSON. I intend to make the motion if necessary.

The VICE PRESIDENT. Objection is heard.

Mr. ROBINSON. I move that the House of Representatives be requested to return the deficiency appropriation bill to the Senate.

Mr. LONG and Mr. FRAZIER. Mr. President—

The VICE PRESIDENT. The motion is not debatable under the rules of the Senate.

Mr. GEORGE. Mr. President, the motion to recall is not debatable?

The VICE PRESIDENT. It is not debatable under the rules of the Senate.

Mr. GEORGE. Very well, Mr. President.

The VICE PRESIDENT. The question is on the motion of the Senator from Arkansas.

Mr. LONG. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The motion was agreed to.

Mr. ROBINSON. Mr. President, I move that the Senate take a recess until called to order by the Chair.

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. That motion also is not debatable.

Mr. GEORGE. I was about to ask unanimous consent to make a statement; and I apprehend that before the night is over that opportunity must come to me under parliamentary rules.

The VICE PRESIDENT. It will.

Mr. GEORGE. I do not desire to detain the Senate, but I think someone has a right to say what the announcement, as I understand it, amounts to.

The VICE PRESIDENT. The Chair will state to the Senator from Georgia that the Senator from Arkansas has made a motion to take a recess.

Mr. GEORGE. Yes; the Senator from Arkansas has made the motion, and I ask unanimous consent that I may address the Senate for 5 minutes.

Mr. ROBINSON. I withhold the motion.

The VICE PRESIDENT. The Senator from Arkansas withholds his motion so that the Senator from Georgia may make a 5-minute statement.

Mr. SCHALL. Mr. President—

The VICE PRESIDENT. For what purpose does the Senator rise?

Mr. SCHALL. I am wondering if the Senator will yield to me for the purpose of—

Mr. GEORGE. I am not yielding, Mr. President. I could not yield under the consent.

The VICE PRESIDENT. The Senator from Georgia declines to yield.

Mr. SCHALL. I desire to make a request to have a letter to a constituent printed in the RECORD.

Mr. ROBINSON. That may be done later. I object, Mr. President.

The VICE PRESIDENT. The Senator from Georgia is recognized.

Mr. GEORGE. Mr. President, I should be the last man in this body to object to anything that may have been brought about by virtue of negotiations undertaken today between the Senators representing the cotton-growing States and the President; but I must say what it means, and I shall say so without hesitation.

The loan of 10 cents, coupled with the condition that at the end or following each trading day the difference between 10 cents and the average sales price in the 10 spot markets, as outlined by the leader of the majority, shall be computed and paid to the farmer, means that the entire cotton crop produced in 1935 must go on the market by August 1, 1936. It is the shippers' bill; it is the shippers' proposal; it is in the interest of the cotton shipper and the shipping interests, including some brokerage concerns in the United States.

Why? Unless cotton be sold by August 1, 1936, there is no assurance of the continuance of the subsidy that is given the cotton farmer. What must I do, and what will I do? Sell my cotton, dump it on the market, break the price. Mark my prediction: The price will probably go even below 10 cents.

Who will be hurt by this agreement? In the first instance the Government, which now has 5,000,000 bales of cotton in the aggregate—4,600,000 bales, I believe—and on that the Government has an advance today equivalent to 13 cents

a pound. The market will go to 10 cents, probably below 10 cents, and the Government will sustain an out-of-pocket loss of \$75,000,000 to date, and 12 months hence an additional 1 cent per pound, or \$5 per bale.

What will happen to the cotton mills? They will be seriously crippled. Their inventories must go down, because the price of cotton now is 10 cents. They bought it at 12 cents, plus the processing tax.

What will happen to every wholesaler and every retailer in the remotest hamlet of the Republic? Their stocks must go down, because henceforth the price of cotton will be 10 cents.

Who will benefit by it? The farmers, for 1935—mark my words, for 1935—but we are fixing the price of cotton at not exceeding 10 cents per pound for all years thereafter. Under an administration committed to an advancement of commodity prices by every device conceivable to the mind of man, we are crucifying our farmers, because after 1935 the maximum price is 10 cents per pound. We are giving the farmer, on his 1935 crop, 2 cents additional to the market, pegged at 10 cents by the loan, as a subsidy, that is all. The basic price is not exceeding 10 cents a pound.

Whom are we helping? We are helping the shipper; we are helping the shipping interests; we are helping the foreign manufacturer and the foreign buyer.

What are we doing? We are saying that everything the Secretary of Agriculture ever said, and everything the A. A. A. ever preached—to wit, that the agricultural-control program was not destroying foreign markets, was not building up foreign production, was not defeating our commerce in cotton—is untrue. Why are we doing it? Because now we are coming, truculently, reducing the price of cotton under 12 cents to 10 cents, admitting that we cannot compete in the markets of the world, admitting that we cannot meet foreign competition.

Mr. President, this proposal is in the interest of the cotton shippers, primarily among whom may be named Anderson & Clayton, of Texas; McFadden, of Philadelphia; and Weil Bros. We are benefiting the foreign buyer of cotton, because we are reestablishing foreign commerce in cotton. We are benefiting the foreign mills. We are crucifying the American mill, with its inventory based on a 12-cent price, not a subsidy. We are crucifying the merchant at the crossroads to the extent that he has any cotton stocks bought on that basis; and in the future we are crucifying the American farmer—make no mistake about that—because we are fixing the price of his cotton at not exceeding 10 cents, and we are thereby fixing the price of his land devoted to cotton production, of his livestock, and his machinery, and his implements.

That is all I wish to say.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arkansas [Mr. ROBINSON] that the Senate take a recess subject to the call of the Chair.

Mr. BYRNES. Mr. President, I ask unanimous consent to address the Senate for 5 minutes.

The VICE PRESIDENT. Does the Senator from Arkansas yield?

Mr. ROBINSON. I yield.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from South Carolina is recognized for 5 minutes.

Mr. BYRNES. Mr. President, I was in favor of and did everything I possibly could to secure the adoption of my amendment providing for the continuation of the 12-cent loan. The deficiency bill containing the amendment was referred by the Speaker of the House of Representatives to the Committee on Appropriations. I am informed that under the rules of the House it could be considered only by securing a special rule from the Rules Committee, which is impossible, or by securing the signatures of 218 Members of the House in order to force a discharge of the Committee on Appropriations, which is equally impossible.

Gentlemen in the House from States in which cotton is grown were satisfied, once the House today adopted the resolution to adjourn today, that there was absolutely no chance

for the House to act upon the deficiency bill. The failure of that bill with my amendment meant the cotton program announced last week would be continued.

Under the program which had been announced by the administration, loans were to be made, not at 10 cents but at 9 cents. The effect of that program was that instead of the price going to 10 cents, as my good friend the Senator from Georgia fears, it would have gone to 9 cents.

It is a practical matter, and I think I am a practical man. The difference between 10 cents and 9 cents means \$5 a bale. On 11,870,000 bales, the estimated crop, that means \$59,000,000, in fact, nearer \$60,000,000, which would be lost to the cotton farmers of the South.

By the proposed agreement that amount of money is certainly saved to the cotton farmers.

The contemplated agreement would do more than that. One objection I had to the program announced by the administration, and one of my principal objections, I expressed upon this floor, namely, that the little farmer would be forced to sell, as he is always forced to sell, within the next 30 days; that during that period, because the cotton crop was being forced upon the market within a short period, the price of cotton would go down to 9 cents. Under the plan that was announced on last Friday the farmer sold for 9 cents, would receive no bounty or subsidy until some time next year, when a mathematician would figure the average of sales between September 1 and January 1 and deduct that average from the sum of 12 cents. If the average over 4 months was 11 cents thereafter, at some time after January 1 he was supposed to receive a check for this difference of 1 cent per pound, making 10 cents per pound for his cotton.

Under the plan now proposed the cotton farmer will receive the difference between the average price on the day he sells and 12 cents. If he sells his cotton tomorrow, and cotton is bringing 10 cents per pound in the 10 designated spot markets, immediately after tomorrow he can make his claim for 2 cents a pound, or \$10 a bale, for his cotton, and can receive it soon thereafter instead of next year. He will receive from the Government 2 cents per pound in addition to the amount received from the buyer of the cotton.

There is an additional reason for adopting the agreement. The Senator from Georgia fears this new plan will force the ten and one-half million bale crop on the market between now and August 31, 1936. It may have that effect, but under the plan which this proposed agreement would supersede, that ten and a half million bale crop would be forced on the market between September 1 and January 1. Whenever we can succeed in inducing a change of program so that the crop will be sold between September 1, 1935, and August 31, 1936, instead of being dumped on the market in the next 4 months, it is a vast improvement. It means that the crop will be marketed throughout the entire year. There will be a chance for the manufacturer who paid 12 cents for cotton to have the benefit that will result from a higher price for cotton if he happens to have an inventory at this time. His competitor will not be able tomorrow to buy cotton for 9 cents per pound.

There is an additional reason. All of us know that cotton must move to market, that cotton must be exported, that the carry-over must be disposed of. I have said heretofore that the Senators from cotton States have not urged the 12-cent loan as a permanent policy for the Government to pursue. If as a result of the proposed policy cotton should go to 10 cents and should move to market in export, as the crop is moved out of this country, cotton will increase in price and the cotton held by the Government will increase in price. But this is certain—and it is the benefit that comes as a result of this agreement—that the cotton farmer is going to receive the difference between what he gets for his cotton the day he sells it and 12 cents a pound. After all, our fight has been for the cotton grower, and not for the cotton manufacturer, or the banker, or the cotton merchant. Those of us who represent the cotton-growing States of the South know that the proposed plan means not only a saving of \$60,000,000 to the cotton growers. It means that the cotton farmer will get 12 cents for his cotton.

For these reasons, and knowing that no action could be secured upon the deficiency bill, and knowing the plight of the cotton farmer, I determined that we could not justify ourselves in permitting Congress to adjourn and do nothing for the cotton farmer because we could not get all that we wanted. I thought it wiser to accept this compromise rather than to sit by and see the deficiency bill die and see nothing done to relieve the cotton farmer in the distressful situation in which he finds himself.

Mr. FRAZIER. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from North Dakota?

Mr. ROBINSON. I yield.

Mr. FRAZIER. Mr. President, what the Senator from Arkansas says about the Government in the past not having made loans on wheat is correct, but I desire to say that the hard spring wheat farmers especially are in a much worse condition than are the cotton farmers of the South, if it is possible that such a thing could be, and I think it is possible at this time. We have had a drought for 3 or 4 years in the hard spring wheat regions, and this year we had rust, and the wheat is below average. It is true that the wheat at the terminals is selling for a fair price at the present time; but wheat on the farms is not up to parity. The dollar a bushel which is quoted as the local price in the hard spring wheat States does not mean anything, because there is not any hard wheat to sell this year. There is no hard wheat raised in the spring hard wheat States which will sell for a dollar a bushel.

The wheat that is raised there is low-weight wheat, running down as low in some instances as 30 to 40 pounds per bushel, making it unfit for grinding into flour, and it can be sold only for feed. There are millions of acres up there the wheat from which at the price received will not pay for the cost of harvesting and threshing, yet the Crop Production Division asks for 50 percent of the amount which the grain brings to pay for the seed loans. We have succeeded in getting the Crop Production Division to modify that ruling and allow the farmer to pay his expenses out of the wheat which he sells, whether the farmer is able to pay anything on the seed loans or not.

However, Mr. President, if this seed-loan provision could be enacted into law so that the farmers with the light-weight wheat could borrow a cent and a half a pound on it, that would mean on 40 pounds per bushel wheat, 60 cents a bushel; and it would keep that wheat off the market. I believe it would enable those farmers to get a better price for the wheat later on when the wheat is sold if it were kept off the market at the present time.

Those wheat farmers are in just the same condition as are the cotton farmers. If 10 cents a pound for cotton is below cost of production—and, of course, it is generally admitted that it is—the cotton farmer is going to continue to go broke if he gets anything below cost of production, and the farmer who produces wheat, when forced to sell below cost of production, must also go broke. He cannot help going broke.

So, Mr. President, it seems to me that the wheat farmers, especially the hard spring wheat farmers—and they are the ones who ordinarily produce the best quality of wheat from which to make flour—are getting the worst of it from this new-deal program. I will not say any more now, but will have more to say later.

Mr. SHIPSTEAD. Mr. President, as I understand, it is contemplated that we are to have an agreement to make a change in the deficiency bill and that the bill is to be returned from the House and acted upon by the Senate. What, in effect, will constitute the change?

Mr. ROBINSON. It is in effect a change in the plan of the Department of Agriculture.

Mr. SHIPSTEAD. Will the change of plan of the Department require the enactment of legislation?

Mr. ROBINSON. No; as I explained before, it is done for the purpose of passing the deficiency appropriation bill. It is absolutely impossible to get consideration of that bill at the other end of the Capitol under present conditions. We might stay here a week, 10 days, or 2 weeks, but I satis-

fied myself that this or some similar method is the only way in which we can hope to pass the deficiency appropriation bill at all. However, whether we can or cannot pass the deficiency appropriation bill, it is my purpose to move the adoption of the concurrent resolution providing for adjournment, because I am satisfied that nothing is to be accomplished by the Congress remaining longer in session. Any Senator who obstructs the bill must take the responsibility.

THE M'CARRAN SILVER AMENDMENT

Mr. KING. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Utah?

Mr. ROBINSON. I yield.

Mr. KING. On the 13th of May the junior Senator from Nevada [Mr. McCARRAN] offered a bill to amend what is known as the "Silver Act", which passed on June 19, 1934. The bill referred to sought to repeal sections 6, 7, and 8 of the Silver Act. The bill was referred to the Committee on Agriculture and Forestry, and by it reported to the Senate on the 1st day of August. On the 24th instant the bill passed the Senate. I had intended to address the Senate in opposition to the bill, but was temporarily detained from the Senate in a conference committee, so had no opportunity to present my views. The disagreement between the two branches of Congress concerning the deficiency appropriation bill and the imminence of adjournment now denies me the opportunity to address the Senate. I therefore ask unanimous consent to have printed in the RECORD a statement which I intended to submit to the Senate, which deals with the bill offered by the Senator from Nevada.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The McCarran silver amendment leaves untouched the declaration of policy embodied in section 2 of the Silver Purchase Act that the proportion of silver to gold in the monetary stocks of the United States should be increased with the ultimate objective of having and maintaining one-fourth of the monetary value of such stocks in silver; and the amendment also leaves untouched the authorization and direction to the Secretary of the Treasury to purchase silver whenever and so long as the proportion of silver in the stocks of gold and silver of the United States is less than one-fourth of the monetary value of such stocks.

The bill seeks to repeal those sections—6, 7, and 8—of the Silver Purchase Act, and the regulations issued thereunder, which vest in the President and in the Secretary of the Treasury power to regulate and deal with transactions in silver. Such power is absolutely essential if the Secretary of the Treasury is to execute in an orderly way and in aid of the silver policy declared by the Congress, the obligations and duties imposed upon him to acquire silver under the Silver Purchase Act and if the true purposes of the act are to be effectively carried out.

The Silver Purchase Act is under fire from some quarters. There are some business interests, as well as various elements of the press, who are protesting against the program. It would seem that those who believe in the program have an obligation to prevent unnecessarily harmful effects from its further prosecution.

Leaflets recently issued by the Tobacco Association of the United States attempt to attack the entire Silver Purchase Act on the ground that it is an interference with our foreign trade, particularly in connection with tobacco and cotton. Nothing that Congress does should be permitted to give aid and comfort to these opponents of the silver policy. The sections of the Silver Purchase Act providing for the control of the international dealings in silver are vitally necessary to prevent the abuse of the entire concept. Their repeal at this time could only result in giving further ammunition to those who are seeking a complete termination of the Government's silver purchases.

Section 6 of the Silver Purchase Act authorizes the Secretary of the Treasury, with the approval of the President, to regulate the acquisition, importation, disposition, and exportation of silver and to require the filing of reports. This provision is comparable with the provisions of section 3 of the Gold Reserve Act of 1934 relating to gold, and section 2 of the Emergency Banking Act of 1933 which relates to gold and foreign exchange. Section 7 of the Silver Purchase Act authorizes the President to call in silver just as sections 2 and 3 of the Emergency Banking Act of 1933 authorize the President and the Secretary of the Treasury to call in gold.

If we would detract from the dignity which these provisions are designed to give, as a part of the monetary system of the United States, to silver, then we should vote for their repeal. The purpose of the Silver Purchase Act was to place silver in a position of equal dignity with gold as a part of the metallic reserve back of the money of the United States. The power of Congress to coin money and regulate its value is as much involved under the Silver Purchase Act in the provisions for the control of silver as it was under the Gold Reserve Act in connection with gold. The powers

of the Federal Government over silver must be equal to its powers with respect to gold.

Because of the increased monetary uses of silver contemplated by the Silver Purchase Act, any tendency in the United States to speculate in silver or to hoard it would be inimical to the public interest, just as was the like tendency over the last few years to speculate in foreign exchange and to hoard and speculate in gold.

The only effect of the repeal of sections 6, 7, and 8 would be to benefit a handful of Wall Street brokers and the speculators in silver. No substantial interest concerned with the silver industry is adversely affected by the provisions of these sections.

The report of the Committee on Agriculture accompanying the McCarran bill states that sections 6, 7, and 8 of the Silver Purchase Act have operated to damage American shipping lines by reason of forcing shipping of silver to the London market, and to damage American insurance companies by loss of business to the London insurance companies. The fact is that American shipping companies and American insurance companies have not been damaged by sections 6, 7, and 8 of the Silver Purchase Act, but, on the contrary, American shipping companies and American insurance companies have benefited very substantially by sections 6, 7, and 8 of the Silver Purchase Act. If speculative trading in silver were to be resumed in New York, it would be necessary to make larger shipments of silver to the United States. These shipments would be made pursuant to orders for account of private persons. In accordance with the long-standing practice in the trade, such shipments would be arranged by London brokers and would be made on British ships and insured by British companies. Where purchases are made for the account of the United States, it is expressly stipulated that all shipping is to be done on American boats, all insurance handled by American companies, and all trucking done by American concerns. The result has been that for every 5,000,000 ounces of silver shipped from London to New York for the account of the United States \$27,000 worth of business has been given to American shipping, trucking, and insurance concerns, a business which would be lost to such concerns if the speculative markets in silver were to be resumed in New York.

A total of approximately \$1,755,000 of business has been given to legitimate American shipping, trucking, and insurance concerns in connection with acquisition of silver abroad by the United States. This is many times more than the amount of commissions that it is claimed would have been made by New York silver brokers acting for American silver speculators if the New York speculative silver market had not been closed down.

It should also be borne in mind that the price paid on behalf of the United States in the London market for silver is sufficiently lower than the price paid for silver in the New York market to cover the cost to the United States of shipping silver from London to New York.

Even if the New York speculative silver market were to be reopened and large quantities of silver were to be shipped to New York from abroad, the strong probability is that for at least a considerable period of time owners of silver would first ship their silver to the London market because for more than a hundred years they have been accustomed to deal with London brokers. The result would be that when the United States bought silver in the New York market the United States would be paying a price for the silver which would not only include the fees, commissions, and charges of New York brokers but would also include the fees, commissions, and charges of foreign brokers and dealers in silver.

The report of the Senate Agricultural Committee is also incorrect in stating that American smelting and refining companies have been damaged as a result of sections 6, 7, and 8 of the Silver Purchase Act of 1934. Because of the slightly higher price for silver that exists in the New York market as compared with the London market, it is worth while for owners of silver ore to ship the same to this country for smelting and refining and for sale here. Reports received from American smelting and refining companies indicate that they are entirely satisfied with the working of the Silver Purchase Act.

The only persons who are injured by the provisions of sections 6, 7, and 8 of the Silver Purchase Act are the silver speculators typified by the Wall Street speculators and also the New York brokers who were active on the silver exchange which did not serve the legitimate industrial silver interests but was merely a speculative market comparable to the speculative silver exchange market more recently created in Canada. If sections 6, 7, and 8 were to be repealed the result would be that the speculative silver market in New York would be reestablished. The silver brokers, in order to make money, would seek to increase speculation in silver. Rumors about silver would emanate from Wall Street in increasing amount and high-pressure salesmanship, at which the New York brokerage crowd is so adept, would again be brought into play. At the same time pressure would be brought to bear on the Treasury Department to purchase silver at such times, in such amounts, and at such prices as would result in enormous benefits to such Wall Street silver speculators and silver brokers regardless of the effect on the Government's silver policy and the disadvantages that might result to the people of the United States as well as to foreign countries. The various rumors and the various types of pressure that would emanate from the Wall Street silver speculators and silver brokers would have the inevitable effect of hamstringing the proper and adequate administration of the silver-purchase program in the interests of the people of the United States.

The legitimate industrial users of silver and the American silver miners are in no sense injured by sections 6, 7, and 8 of the Silver

Purchase Act. Adequate provisions are made in sections 6, 7, and 8 and in the Treasury regulations issued thereunder for the acquisition, use, disposition, and exportation of silver for industrial purposes.

Section 8 of the Silver Purchase Act imposes a tax upon profits arising from an increase in the market value of silver. This tax does not apply to any newly mined silver deposited under the proclamations of the President authorizing the mints to receive such silver for coinage. Furthermore, provision is made for the abatement of any tax arising from nonmarket profits, such as all profits arising from refining and processing silver. In other words, the purpose of the tax is to limit undue profits by persons who buy silver in competition with the Government for the purpose of selling it later at a higher price, directly or indirectly, to the Government, and not to impose any tax or restrict the profits made in connection with the mining or industrial use of silver. In the administration of the silver tax the Treasury has been careful to maintain this distinction marked out by the Congress.

One of the purposes of the Silver Purchase Act is to increase the monetary use of silver. At the same time that the Treasury is acquiring huge quantities of silver and adding the same to the monetary stocks of the United States it is important that foreign countries using silver as monetary metal should not be driven, as a result of our silver-purchase policy, to discarding silver as a monetary metal. Accordingly, the Treasury should continue to have the powers now given to it under sections 6, 7, and 8 in order that it may mitigate any unnecessarily harsh consequences to foreign countries using silver as a part of their monetary system. An example where this was done without in any way hampering the silver-purchase program of the Treasury was the order of May 20, 1935, prohibiting the importation without a license of certain foreign silver coin.

It seems to me Congress and the administration owe it to the country to see that the United States is not hampered or injured by a small group of silver speculators who are contributing nothing to the cause of silver. The Treasury of the United States must not be made subservient to any special interest, and particularly to those who have been relying on the Government's silver policy to add to their profits. This Government must demonstrate unmistakably that it and not the silver speculators are in control of the future of silver in this country.

No time could be made more unsuitable than this very moment to deprive the United States of the very weapons and implements which are so necessary to achieve the completed program for the rehabilitation of silver.

RECESS

Mr. ROBINSON. I renew my motion that the Senate take a recess subject to the call of the Chair.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arkansas that the Senate take a recess subject to the call of the Chair.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess subject to the call of the Chair.

AFTER RECESS

The Senate reassembled, when called to order by the Vice President, at 6 o'clock and 12 minutes p. m.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hattigan, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (H. R. 9215) making appropriations to provide urgent supplemental appropriations for the fiscal year ending June 30, 1936, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and for prior fiscal years, and for other purposes, with the accompanying papers.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1878. An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.;

S. 2324. An act to incorporate the Military Order of the Purple Heart;

S. 2364. An act relative to the retirement of certain officers and employees;

S. 3085. An act authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose;

S. 3204. An act to provide additional funds for the completion of the Mount Rushmore National Memorial, in the State of South Dakota, and for other purposes;

S. 3433. An act limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised

Statutes of the United States with respect to counsel in certain cases;

H. R. 3783. An act for the relief of George W. Rhine, doing business under the name of Rhine & Co.;

H. R. 6776. An act to amend the Emergency Farm Mortgage Act of 1933, as amended, and for other purposes;

H. R. 7858. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto;

H. R. 7974. An act to withdraw and restore to their previous status under the control of the Territory of Hawaii certain Hawaiian homes lands now in use as an airplane landing field;

H. R. 8511. An act to provide funds for cooperation with Cannon Ball school district, Sioux County, N. Dak., for extension of public-school buildings to be available for Indian children;

H. R. 8512. An act to provide funds for cooperation with Fort Yates school district, Sioux County, N. Dak., for extension of public-school buildings to be available for Indian children;

H. R. 8513. An act to provide funds for cooperation with Trenton school district, Williams County, N. Dak., for extension of public-school buildings to be available for Indian children;

H. R. 8516. An act to provide funds for cooperation with Porcupine school district, Sioux County, N. Dak., for extension of public-school buildings to be available for Indian children; and

S. J. Res. 175. Joint resolution to extend the time within which contracts may be modified or canceled under the provisions of section 5 of the Independent Offices Appropriation Act, 1934.

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Costigan	La Follette	Schall
Ashurst	Davis	Lewis	Schwellenbach
Austin	Dickinson	Logan	Sheppard
Bachman	Donahey	Loneragan	Shipstead
Bailey	Fletcher	Long	Smith
Barkley	Frazier	McAdoo	Steiwer
Black	George	McCarran	Thomas, Okla.
Bone	Gerry	McGill	Thomas, Utah
Borah	Gibson	McKellar	Townsend
Brown	Glass	Maloney	Trammell
Bulkley	Gore	Minton	Truman
Bulow	Guffey	Murray	Tydings
Burke	Hale	Norbeck	Wagner
Byrnes	Harrison	Norris	Walsh
Capper	Hatch	O'Mahoney	Wheeler
Caraway	Hayden	Pittman	White
Chavez	Holt	Radcliffe	
Clark	Johnson	Robinson	
Copeland	King	Russell	

Mr. LEWIS. I reannounce the absence of Senators, and the causes therefor, as indicated in my statement in connection with the last roll call; and in addition I regretfully announce the absence of our brother the Senator from Texas [Mr. CONNALLY] because of a very sad event in his family.

The VICE PRESIDENT. Seventy-three Senators have answered to their names. A quorum is present.

STATUS OF SUPPLEMENTAL DEFICIENCY APPROPRIATION BILL

Mr. ROBINSON. Mr. President, it is my information that, pursuant to the request of the Senate, the House has returned the deficiency appropriation bill.

The VICE PRESIDENT. The Senator is correct.

Mr. ROBINSON. I ask unanimous consent that the votes by which the amendments to House bill 9215 were ordered to be engrossed, and the bill ordered to a third reading and passed, be reconsidered.

The VICE PRESIDENT. Is there objection?

Mr. LONG. I object.

Mr. ROBINSON. Mr. President, if the Senate is to be obstructed by a filibuster, if it is to be made impossible to pass the deficiency appropriation bill, I have in my mind a well-defined course which I shall ask the Senate to pursue.

I realize that at this late hour any Senator who desires to take that responsibility may accomplish the defeat of the

deficiency appropriation bill. The reasons for passing it with the cotton and wheat amendments eliminated are apparent. I am not willing to contribute to a procedure in the Senate by which this controversy may be indefinitely prolonged. As already stated in other remarks to the Senate, it is clear to me that the only way in which the deficiency bill may be passed is by the elimination of the two amendments referred to—the amendments relating to cotton and wheat.

Mr. President, I ask unanimous consent that on the motion I am about to make, debate be limited so that no Senator may speak more than once or longer than 5 minutes on the motion; and I move to reconsider the votes whereby the amendments to the deficiency appropriation bill were ordered to be engrossed, and the bill to be read a third time, and passed.

The VICE PRESIDENT. The Senator from Arkansas moves that the Senate reconsider the votes whereby it ordered the engrossment of the amendments, and ordered to a third reading and passed the deficiency appropriation bill, House bill 9215; and, pending that motion, he asks unanimous consent that debate be limited to 5 minutes by each Senator on the motion. Is there objection?

Mr. LONG. I object.

Mr. ROBINSON. Mr. President, I ask the Chair to lay before the Senate the concurrent resolution providing for final adjournment.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield.

Mr. NORRIS. I am in entire sympathy with the program which the Senator from Arkansas wishes to carry out; but I should regret very much to have us agree to adjourn tonight and make it possible for some Senator to filibuster and defeat the appropriation bill. I would rather that the adjournment be postponed, if that is necessary. I hope it will not be necessary; but, at least, I should regret exceedingly to see the possibility put before the Senate that the adoption of the adjournment resolution will bring; namely, that of defeating the appropriation bill. We can afford to stay here longer, if necessary, in order to pass the bill.

Mr. ROBINSON. Mr. President, I am very firmly of the conviction that if the Senate is to follow the course which has been suggested it can do so within the time that transpires after the adjournment concurrent resolution has been agreed to.

Mr. NORRIS. I think we could; but it would make it possible for someone to talk until 12 o'clock, and then the bill would be dead.

Mr. ROBINSON. I am saying to the Senator, frankly, that I think the Senate should adopt the concurrent resolution providing for adjournment and that the Congress ought to conclude its labors today. Every possible effort is being made to bring about conditions so that they may be done without interfering with the administration of a number of laws which the Congress has passed. But I am not willing to leave this matter open, and have the House in a situation of having agreed to adjournment twice, the Senate having agreed to it once, and refusing to agree now, and incur the liability of having the Congress sent home by the Executive, under the constitutional provision authorizing him to do so if the two Houses cannot agree on the time of adjournment.

I ask the Chair to lay before the Senate the concurrent resolution.

The VICE PRESIDENT laid before the Senate the concurrent resolution (H. Con. Res. 40), which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Monday, the 26th day of August 1935, and that when they adjourn on said day they stand adjourned sine die.

The VICE PRESIDENT. The question is on agreeing to the concurrent resolution.

Mr. NORRIS. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. NORRIS. Does the Chair hold that the question is not debatable?

The VICE PRESIDENT. It is not debatable.

Mr. LONG. I ask for the yeas and nays.

The yeas and nays were not ordered.

The concurrent resolution was agreed to.

IMPROVEMENT IN AIRPLANES

Mr. McCARRAN. Mr. President, in keeping with Senate bill 3420, to amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by aircraft in interstate and foreign commerce, and for other purposes, and in keeping with safety in aviation, in which many of us are interested, I ask leave to have inserted in the RECORD a letter of August 17, addressed by me to the Secretary of the Navy, and the reply of the Acting Secretary.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

AUGUST 17, 1935.

HON. CLAUDE A. SWANSON,

Secretary of the Navy, Washington, D. C.

MY DEAR MR. SECRETARY: We all deeply mourn the tragic loss of two of our most valued aviation friends, Mr. Will Rogers and Mr. Wiley Post.

It has come to my attention that your Department has been engaged in the development of an airplane control that gives improved lateral control when an airplane is at or near stall. I understand that this consists of a slot and interceptor and has definitely proved to be a forward step in providing a means of helping to avoid the incipient spin or nose dive that results from a loss of control, as often happens in case of engine failure at take-off.

I wish to congratulate your Department on its far-sightedness in the development of the above-mentioned airplane control, and in this respect I would like to assist in whatever way I can, in keeping with my general activity extending over two sessions of Congress, to contribute to the safety of civil aviation in this country.

I would appreciate it very much if you could see fit to release to me what pertinent information you may have on the subject above mentioned.

Respectfully yours,

PAT McCARRAN,
United States Senator from Nevada.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, August 26, 1935.

HON. PATRICK McCARRAN,

United States Senate.

MY DEAR SENATOR McCARRAN: In reply to your letter of August 17, I am pleased to submit the following information: The lateral control of airplanes at or near the stall has proven to be one of the most difficult problems presented in the development of this type of craft. A conventional aileron is effective within certain limits because of the variation in lift it produces on the wing surface in front of it. At the stall the airflow breaks down, the aileron becomes ineffective, and loss of lateral control follows.

It may be said that there is no general cure-all for airplane crashes. Loss of traction due to loss of power cannot be compensated for by perfect lateral control. If the entire wing is stalled, lift disappears, and the airplane will, of course, descend. If the altitude at which the wing stalls is sufficient and lateral control excellent, the airplane may be prevented from falling off until it is nosed over and flying speed regained due to gravity. This is not true, however, if power is lost close to the ground, when a crash is inevitable, although it may be much less serious if control is accomplished beyond the stall.

The Department has been concerned with the development of excellent lateral control because of its necessity in connection with landing aircraft on carriers. If good control is had just below the stall, safe landings may be made under the conditions obtaining in carrier operation. The improvement of lateral control becomes increasingly important as the wing loading goes up. The advent of monoplanes with the trend to heavier useful loads increases the unit loading and makes good control imperative.

There has been developed a control which makes use of a leading edge wing slot containing at the wing tip a spoiler combined with the slot. This spoiler is connected with the aileron and there results an action which materially assists the lateral control at the stalling speed of the airplane.

Sincerely yours,

H. L. ROOSEVELT,
Acting Secretary of the Navy.

NOMINATIONS OF POSTMASTERS

As in executive session,

Mr. McKELLAR. I ask that the Chair lay before the Senate a message from the President transmitting nominations.

The VICE PRESIDENT, as in executive session, laid before the Senate a message from the President of the United States submitting the nominations of several postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of the several postmasters be confirmed en bloc without reference to the committee.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee [Mr. McKELLAR] for the immediate consideration of several nominations for postmasters? Without objection, the nominations are confirmed en bloc.

(For nominations this day received and confirmed, see the end of Senate proceedings.)

AMENDMENT OF INLAND WATERWAYS CORPORATION ACT

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1994) to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, which was, on page 1, line 10, to strike out "or San Joaquin Rivers" and insert "San Joaquin or Savannah Rivers."

Mr. SHIPSTEAD. Mr. President, may we have an explanation of the amendment? This is the first I have heard of it.

Mr. JOHNSON. It is a very brief bill, which simply amends by striking out the words "or San Joaquin River" and inserts in lieu thereof "San Joaquin or Savannah Rivers."

I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PRESIDENT ROOSEVELT AND HIS RADIO ADDRESS

Mr. ROBINSON. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD two brief articles in the nature of editorials on the subject of the President and his radio address.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

Franklin D. Roosevelt is the hope of the American people. He saved America from impending revolutions. His recovery program is the most magnificent experience in human welfare this Nation has ever known. He will go down in history as a great American who patriotically, loyally, and unflinchingly met a great test in American affairs; just as Washington met it against the British; as Abraham Lincoln united it; as Teddy Roosevelt glorified it; and just as Woodrow Wilson met it in his fight for freedom of the seas.

Franklin D. Roosevelt is fighting for the salvation of the American Nation. He is engaged in the greatest war this Nation has ever known—a war to assure every man of the opportunity for a full and happy life, a war to save millions from want, a war to reduce crime by providing gainful employment to men and women who have heard their children cry for bread.

Any man who traduces the name of the great and good man who is directing the Nation's recovery program is a traitor to every noble instinct of Americanism.

Any man who villifies the name of the great leader of the American people in this crisis is breaking faith with the country that harbors him, feeds him, and makes it possible for him to enjoy the precious heritages of life, liberty, and the pursuit of happiness.

This is a testimonial of faith in Franklin D. Roosevelt.

The American people looked to him in one of the darkest hours of their history. He has justified their confidence.

He has made marvelous progress in stabilizing this country.

He has made it possible for men who otherwise would be criminals and menaces to public safety to earn food for themselves and those they love.

Franklin D. Roosevelt is the hope of the American people.

So in this testimonial of faith in Franklin D. Roosevelt we say: "We believe in him, trust in him, hope in him—and love him."

GEORGE A. HADDAD.

[From New York Times of Aug. 25, 1935]

MR. ROOSEVELT ON THE RADIO

Even the opponents of the President can take little exception to the address which he made Saturday evening to the convention of Young Democrats at Milwaukee. It was couched in generalities, thus provoking no criticism of special policies of his own. It was also nonpartisan in tone, and in excellent taste. The President spoke to youth everywhere in the Nation without regard to party—just as truly, he said, to young Republicans as young Democrats. The main point of his radio speech was that the Nation must continue to look to the oncoming generation to freshen and reform our public life, to improve our municipal and State governments, and to bring about still further social betterments. He urged the young men and women who listened to him to preserve the great and precious heritage which had come to them from the past, seeking only to enlarge it as they hand it on to their children, and not to destroy it, always clinging to sound and estab-

lished principles while searching for new methods by which to apply them. The whole was an inspiring message to American youth.

Being a short one, the President could not stop to dwell upon the dangers which lie before ambitious young persons when they set their hands, as Mr. Roosevelt would desire them to do, to the work of political and social reforms. Self-seeking may so easily creep into it. One who is ostensibly striving to better the lot of his fellows may end by trying to better his own lot. He may profess the widest sympathies with the poor and underprivileged, while all the time comforting himself with the thought that they have votes to be won, by means of which he may get for himself political power, offices, and salaries. Such things have been known in our political history, and we have only to lift our eyes to see them still with us. Those who do them we do not, as Al Smith said the other night, call false prophets. We call them demagogues and denounce their plans and promises as insincere and fantastic. If Mr. Roosevelt had had more time, he might have been inclined to warn his hearers against politicians who would throw over their personal motives and gains the cloak of public welfare and of humanity. As it was he left it to the youth of the land to distinguish between honest and unselfish reformers and skillful players on public credulity who think, by deceiving the people, to win prestige and high places for themselves.

POLITICAL AND ECONOMIC SUBJECTS

Mr. SCHALL. Mr. President, I ask permission to have printed in the RECORD a resolution of the Pennsylvania Bar Association; a poem, printed in the Northwestern Miller, entitled "Tired"; an article in the Butler (Pa.) Eagle, entitled "Democrats in Congress"; a short poem by John P. Coffin entitled "Americans Awake"; another entitled "When de Boss-Man Speaks"; an article from the Duluth News Tribune entitled "Olson Accused of Trickery", by J. N. Moonan; and a resolution to increase the price of butter fat.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Northwestern Miller of Aug. 7, 1935]

TIED

I'm tired, oh, so tired, of the whole new deal,
Of the juggler's smile and the barker's spiel,
Of the mushy speech and the loud bassoon,
Tired of all of our leader's croon.

I'm tired of the tax on my ham and eggs,
I'm tired paying toll to political yeggs,
Tired of Jim Farley's stamps on my mail,
Tired of my shirt with the tax-shortened tail.

I'm tired of farmers goose-stepping to laws,
Of millions of itching job-holders' paws,
Of fireside talks on commandeered mikes,
Of passing more laws to stimulate strikes.

I'm tired of the daily increasing debt,
I'm tired of promises not to be met,
Of eating and sleeping by Government plan,
I'm tired of forgetting the forgotten man.

I'm tired of every new "brain-trust" thought,
Of the ship of state turned into a yacht,
I'm tired of beating the courts by stealth,
And terribly tired of sharing the wealth.

(I'm tired seeing Eleanor on page one,
Of each royal in-law and favorite son,
I'm tired of Sistle and Buzzle Dall,
Nobody knows how I'm tired of it all.)¹

I'm tired and bored with the whole new deal
With its juggler's smile and its barker's spiel.
Oh, Lord, out of all Thy available men,
Please grant us a Cleveland or Coolidge again.

PENNSYLVANIA BAR ASSOCIATION,
Harrisburg, Pa., August 15, 1935.

Resolution offered and adopted by the Pennsylvania Bar Association in annual meeting assembled at Bedford Springs, Pa., June 28, 1935

Whereas following the recent decision of the Supreme Court of the United States, holding unconstitutional the National Industrial Recovery Act, public officials have made proposals for sweeping changes in our form of government: Now, therefore, be it

Resolved, That it is the sense of this meeting of the Pennsylvania Bar Association, that no amendments to the Constitution should be made which would transfer to the Federal Government the long established rights of the States in matters affecting the lives and affairs of their citizens and that it is essential to the continuance of our form of government that the coordinate powers of the Executive, the legislative, and the judiciary be preserved inviolate; further

Resolved, That copies of these resolutions be transmitted to the President of the United States, to the Members of the United

¹ Deleted by censor.

States Senate and the House of Representatives and to the American Bar Association.

I hereby certify that the foregoing resolution was duly adopted at the Forty-first Annual Meeting of the Pennsylvania Bar Association held June 28, 1935, at Bedford Springs, Pa.

JOHN McILHENNY SMITH,
Secretary.

[From the Butler (Pa.) Eagle of Aug. 6, 1935]

DEMOCRATS IN CONGRESS CAN RESTORE CONFIDENCE AND BRING RECOVERY

By T. W. Phillips, Jr.

Democrats, who give more than lip service to the platforms and traditions of their party, view with dismay and chagrin the betrayal by their chosen leaders of the solemn pledges of their party, made doubly sacred by more than a hundred years of its history.

The Democratic Party has always been the avowed champion of State rights, strict construction of the Constitution, and economical government. This trinity, at whose shrine millions of faithful Democrats and loyal American citizens have been wont to worship, is now being crudely crucified, not by its professed enemies, but by its supposedly devoted friends.

If only every Democrat in Congress would openly renew his pledge to the principles of his party and rededicate himself to the fundamentals of our constitutional Government in word and in deed, confidence would be restored immediately and recovery would speedily follow.

The following article by former Democratic Senator James A. Reed, of Missouri (a Member of the United States Senate 1911-29) published in the Pittsburgh Sunday Sun-Telegraph of August 4, 1935, is a clear and forceful exposition of how honest and thoroughly consistent Democrats feel about the betrayal of their party.

TAX SCORED AS ROBBERY—REED OF MISSOURI PLAYS ROOSEVELT RULE AS UNAMERICAN

Former United States Senator James A. Reed, of Missouri, long an outstanding figure in the Democratic Party, in the following scorching comment on new-deal policies, calls the Roosevelt administration's tax-legislation program "robbery and a denial of the right to own property."

Written with his characteristic directness, former Senator Reed's article charges the administration in Washington with a policy of repudiating the American Constitution.

(By James A. Reed, former United States Senator from Missouri)

"The Government at Washington is not Democratic; it is not Republican; it is not American—it is an unholy combination of communism, socialism, and bolshevism. But it lacks the virtues of all of these systems if indeed any virtues they possess.

"He who conspires with others to overthrow by force the Government established by the Constitution is guilty of treason. He who conspires with others, by fraud or abuse of power, to destroy the Constitution is morally as guilty of treason as those who employ armed force. He who exercises a power granted by the Constitution for one purpose to accomplish another and different purpose is guilty of an act of usurpation. Particularly is this true when the act wrongfully sought to be done is violative of the letter or spirit of other provisions of the Constitution.

"The soul of the Constitution is liberty. Liberty is impossible if the citizen is denied the right to gain and keep the fruits of his toil. "Our Government has no right under the Constitution to take the citizens' property except for the support of government.

"When, therefore, it is proposed under the pretense of levying taxes for the support of government to in fact exercise that power for the purpose of redistributing wealth, it is in effect a proposal for the despoliation of one class of people for the benefit of another class. It is the denial of the right to own property. In simple terms it is robbery perpetrated by the Government in defiance of the other provisions of the Constitution. The party indorsing such policies is not Republican; it is not Democratic; it is not American—it is a party of repudiation, revolution, and confiscation. The men who indorse such policies are not Democrats; they are not Republicans—they are repudiationists; they are breakers of oaths.

"Nearly every citizen at one time or another has taken an oath 'to support, uphold, and defend the Constitution of the United States.' Many of them have taken that oath often; Roosevelt took it I know not how often, but certainly when Assistant Secretary of the Navy, certainly when inaugurated as Governor of New York, certainly when he laid his hand on the old Bible and took his inaugural oath, 'I do solemnly swear * * * that I will to the best of my ability preserve, protect, and defend the Constitution of the United States.' Every Congressman swore, 'I will support and defend the Constitution of the United States against all enemies, foreign and domestic. I will bear true faith and allegiance to the same. I take this obligation freely without mental reservation or purpose of evasion.'

Constitution violated

"On March 4, 1933, when these oaths were solemnly and publicly pronounced, who could have imagined that the President would advise Congress to pass laws 'even though regarded by Congress as of doubtful constitutionality'? Who could have imagined it possible that within a few months the majority of Congress would be passing laws known to be of doubtful constitutionality? Who

could have imagined the President and the Congress laboring to devise means by which unconstitutional ends could be gained by the subversion and misuse of constitutional powers? Who could have imagined the President of this great Republic sneeringly referring to the Constitution, which he had sworn to uphold and defend, as 'it belongs to the horse-and-buggy age'? A phrase which, if it meant anything, was a declaration that the Constitution was obsolete and of no further binding force or effect.

"The Ten Commandments are as true today as they were at the hour when they were delivered to Moses amidst the thunders of Sinai. What would be thought of the Christian minister or the Jewish rabbi who would declare that the Ten Commandments belonged to the age of sandals, or the age of camels, or the age of the Pharaohs, and therefore to be disregarded and scorned?

Americanism still lives

"I repeat these principles are not Democratic, Republican, or American. If they had been announced in advance of the convention at Chicago, Roosevelt would have been overwhelmingly defeated. If they had been announced by candidates for the Senate or House of Representatives in the ensuing election, these candidates would have been ignominiously rejected. The principles of democracy cannot be destroyed because betrayed by a single man, or by a group of Congressmen who 'crook the pregnant hinges of their knees that thrift might follow fawning.' Americanism still lives.

"The Pilgrim spirit has not fled
It walks in the moon's broad light
And it guards the graves of our holy dead
With its sentinel stars at night.
It watches the graves of the brave who are dead
And will guard our rock-bound shores
'Till the waves of the bay where the *Mayflower* lay
Shall foam and seethe no more."

"Why talk of broken platforms when confronted by violated oaths?"

"False to an oath,
Then whether churl or king
Who breaks faith with his God
Is false to everything."

AMERICANS AWAKE

(By John P. Coffin, founder Society of Loyal Americans, Johnstown, Fla.)

Awake! Arouse ye sleepers,
Ere yet 'tis not too late.
Awake! Arouse ye freemen
For 'tis the hour of fate.

The very fundamentals
Which made this Nation great
Are broken into pieces
By those at helm of state.

Your weapons are not carnal
But with the power of God,
March forward to the battle
In path your fathers trod.

Uphold the Constitution
Nor let a word be moved
Until the thought is ripened
And has by time been proved.

Beat back the waves engulfing
The people's rights and powers
Nor never cease your watching
While still the storm cloud low'rs.

Awake! Arouse, ye voters,
While still the ballot's free.
Arise ye men and women,
The Nation pleads with thee.

Awake! ye patriot freemen,
And rally to the call—
Justice be your watchword
And right be over all.

The God of Nations aid you
In this your hour of need,
Keep place upon the ramparts
Until the Nation's freed.

Gird on your battle armor
For freedom, truth, and right;
May God of Nations aid you
In this most righteous fight.

Your flag will float unsullied
In liberty's pure air,
And not a trace of serfdom
Will mar its beauty there.

WHEN DE BOSS-MAN SPEAKS

(By John P. Coffin, founder Society of Loyal Americans)

When de Boss-Man speak to Congress,
 'Bout that great big tax he ask
 Say he never thought a minnit
 Of dere rushin' to de task,
 Den de Congress smilin' broadly
 Took he word and pass de bill
 Keepin' all de Noosanse taxes
 From dere slidin' down de hill.

Now when dat fo' hundred million
 He done thot were shore to stay;
 He done shouted back to Congress
 Now yo' make dose big 'uns pay.
 I shore wan' dat big tax levy.
 Pass by you 'uns P. D. Q.
 An' I doan wan' any loafin'
 In de aisles by none ob you.

Yo' jus' keep yo' feet a hoppin'
 An' yo' tongues widin' yo' cheeks.
 Else I'll keep yo' here a sweatin'
 For de nex' fo' hundred weeks,
 You 'uns ought to larn by dis time,
 To obey when Boss-Man speaks
 Else de chinery of Congress
 Will need oil to stop de squeeks.

Be good boys and gib de billions,
 Which I need for cigarettes,
 Den yo' can go home till winter
 An' can place yo' 'lection bets.
 Den de whole worl' will be happy
 'Cause we'll hab Re-cov-er-ree.
 An' we all will spen' de billions.
 Which taxpayers gib to ME.

[From the Duluth News Tribune of Aug. 15, 1935]

OLSON ACCUSED OF TRICKERY BY J. N. MOONAN—DEMOCRATIC CHAIRMAN SAYS GOVERNOR GAVE LIP SERVICE FOR VOTES

WASECA, MINN., August 14.—Governor Olson's criticism of President Roosevelt rebounded today on accusations from Joseph N. Moonan, chairman of the Democratic State central committee, that the Governor had given lip service previously to get votes of the President's friends.

Moonan, charging the Governor resorted to "mere trickery to advance his own selfish ends", said in a statement that Democrats "are getting now just what they always received by dealing with Olson and the Farmer-Labor leaders."

As long as the Governor had "almost dictatorial control" over Federal relief funds in Minnesota, Moonan said, he "masqueraded as a friend of the national administration."

"When finally that control was taken from him," Moonan said, "after complaints of wide-spread extravagance, inadequate accounting, excessive administrative expenses, and the playing of politics with human misery, he turns to denounce the national administration."

Off-handedly criticizing Joseph Wolf, national Democratic committeeman, because he "led his followers" to support Olson twice, Moonan charged the Governor "posed as a great friend and supporter" of Roosevelt, but now "appears in his true light."

"Governor Olson's vicious attacks on President Roosevelt's program, and his public announcement that he has alienated himself from the administration", Moonan charged, "definitely discloses that the lip service he has given the President in the past has been mere trickery to secure the votes of friends of the President to advance his own selfish ends."

AUGUST 1, 1935.

RESOLUTION TO INCREASE THE PRICE OF BUTTER FAT

Whereas the dairy farmers of Minnesota and other States are receiving an average of 25 cents per pound for butter fat, which is less than the cost of production; and

Whereas the dairy farmers must meet the increased price on the commodities and articles they must use on their farms and for farm operation; and

Whereas the tariff on butter is not high enough to prevent foreign butter from coming to the markets of the United States in competition with locally produced butter; and

Whereas oleomargarine is being sold in active competition to the sale of butter: Be it hereby

Resolved, That the tariff on butter be increased and a tax on oleomargarine be levied sufficiently high so that a minimum price of 35 cents per pound be established on butter at the production centers of dairy farmers; and be it further

Resolved, That copies of this resolution be mailed to our Representatives and Senators at Congress.

RABBIT LAKE FARM BUREAU UNIT,

ARTHUR FELLERMAN, Secretary,

Crow Wing County, Aitkin, Minn., Route 3.

Mr. SCHALL. Mr. President, I also ask leave to print in the RECORD a letter bearing the name of the former Governor of North Dakota, Mr. Langer. The letter speaks for itself. If such things can happen to the Governor of one of our great independent States, what will happen to the common, ordinary man who gets in the way of the "raw deal"?

The letter well might have been written by a subject of Russia instead of the Governor of one of our independent States, and seems to me to be well worth a congressional investigation; and if I find, upon further study of the matter, facts to warrant the statements contained in it, I shall introduce a resolution at the next session.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BISMARCK, N. DAK., August 21, 1935.

Hon. THOMAS D. SCHALL,

United States Senate, Washington, D. C.

MY DEAR SENATOR SCHALL: I have your letter of recent date in which you make inquiry as to the facts pertaining to the trial of the United States Government against myself and others.

As Governor of this State at no time did I have anything to do with the actual administration of relief in this State. Nor did I ever at any time in any way, shape, or form handle any of the funds that were sent into this State by the Federal Government for the purpose of relief; that I was sick in the hospital early in January 1933 when a representative of the Federal Reconstruction Corporation called upon me relative to relief matters in North Dakota. I at that time informed him I could not personally handle the same, but I agreed to appoint a committee which would have their whole-hearted approval, and later did appoint a committee, which committee received the approval of their representative, Mr. Ewing. The committee I appointed was composed of chief justice of the North Dakota Supreme Court, A. M. Christianson; Mr. R. M. Stangler, manager of the Bank of North Dakota; Mrs. Minnie Craig, speaker of the house of representatives; Arthur M. Thompson, State superintendent of public instruction; and Lee R. Nichols, who had served Morton County as county auditor for nearly 20 years. Two members of this committee were people of my own political faith, two were politically opposed to me, and one was neutral. The only capacity in which I acted in relief matters in North Dakota was to sign the requisitions as they were made up, and to endorse checks which the committee brought to me for my endorsement as Governor, and which they immediately took back with them to their relief office. At the time I appointed this committee I had a thorough understanding with them that they must assume full responsibility, and that they would have the full handling of all relief matters in the State of North Dakota, and I never at any time made any suggestions or interfered in any way whatsoever with the activities of this committee.

I was removed as technical administrator of relief in North Dakota by Mr. Harry L. Hopkins without being given even the courtesy of a hearing, and to this day I have never been allowed the privilege to be heard. When rumors were first circulated in this State that I was about to be indicted, there was a grand jury in session at the time in the city of Fargo, N. Dak. Instead of presenting any evidence they may have had to that particular Federal grand jury, the United States district attorney, the new-deal appointee of James Aloysius Farley, impaneled a special grand jury to present their evidence in my case to.

When the names of the Federal grand jury panel were announced I was shocked to learn the panel was composed entirely of deadly political enemies as well as my personal enemies. I wired Federal Judge Andrew Miller, expressing a desire to appear personally before the grand jury, but to this telegram I never received a reply.

The grand jury indicted me and others and my case was tried in Federal district court, starting on the 22d day of May 1934, and I was convicted on June 17, 1934. Senator, please bear in mind that this trial was so timed by the Democratic district attorney that it took place during the time of our primary campaign, and I was unable, except for a very few days, to enter into the campaign. I was, however, nominated for the office of Governor on the Republican ticket by the largest majority ever given a Governor in the history of this State.

After the conviction in the Federal district court, I immediately appealed my case, as well as the other defendants, to the circuit court of appeals in St. Louis, being represented in my circuit court of appeals case by Francis Murphy, attorney at law, of Fargo, N. Dak. In May of this present year the circuit court of appeals, by unanimous decision, reversed the decision of the lower court, the circuit court opinion being written by Federal Judge A. K. Gardner. In the written opinion of the circuit court of appeals they state emphatically that there was not one iota of evidence of a violation of a Federal statute, and the court even went further and said there was no evidence and, in their opinion, no violation of a State statute.

I was removed from the office of the Governorship by a 4 to 1 decision of our North Dakota Supreme Court, which court is composed of 5 judges. Two of these judges, Judge Burr and Judge

Neuessle, were running for reelection and had been endorsed by Farley's new-deal party in North Dakota. The third member of the supreme court who voted for my removal was John Burke, former Democratic Governor of this State and Treasurer of the United States under Woodrow Wilson, and whose son, Thomas Burke, was one of the campaign managers for the new deal's candidate for Governor in the State of North Dakota who was running against me. Judge George Moellring, now deceased, and who had served the State of North Dakota as a district judge for years, filed a scathing dissenting opinion.

The facts pertaining to the trial itself are these: The United States district attorney, who is a thorough Farleyite, and whose appointment had not yet been confirmed by the United States Senate, absolutely refused to submit to my attorneys or the attorneys for any of the defendants a list of the jury panel that was to try me until 10 o'clock the morning that my trial opened. To my surprise, when I was handed a list of the jury panel from which we were compelled to select 12 men to try me, I found that without exception the panel was composed of men who were bitter political and personal enemies of mine. It was just a case, Senator, of trying to pick 12 good eggs out of a basket of rotten ones. For example, a man by the name of John Jones, who sat on the jury which tried me, was running for the legislature in Ramsey County, N. Dak., on a ticket which was politically antagonistic to me, and this gentleman was endorsed for this office by the Farleyites in North Dakota. The records of the secretary of state of the State of North Dakota will confirm this fact. Then, there was a man by the name of L. C. Huelett, of Mandan, N. Dak., who was an active officer in the Security Credit Co., of Mandan, N. Dak., whose company I had just 2 or 3 weeks previous to my trial, as chairman of the North Dakota Securities Commission, temporarily ordered suspended from doing business in this State pending a hearing, and which matter was still pending when Mr. Huelett sat as a juror in my case. I had ordered their company, of which this gentleman was an officer, to pay back thousands and thousands of dollars to the farmers of this State, which the said security company had refused to do. Then, there was another party by the name of Brady, who is in the automobile business in the city of Fargo. During my term as Governor I had enacted into law a statute prohibiting usury in connection with the sale of automobiles on sales contracts. Mr. Brady later headed a group of men who started a court action to have this law declared unconstitutional. Yet he was allowed to sit on the jury which tried me. A man by the name of Lester T. Crist sat on the jury as one of my peers, and he in the last few weeks was arrested and plead guilty in district court on a felony charge in the State of North Dakota. I have affidavits in my possession from the law-enforcing officer of this State that this man was allowing his place of business to be used for immoral purposes by young girls and boys of tender years.

This will give you somewhat of an idea, Senator, of the caliber of the jury that was selected to try me. Upon the insistence of the United States district attorney the defense attorneys were not allowed to question the jurors as to their qualifications. I could go on indefinitely and take each one of the jurors, and without exception the panel was made up of men who were bitter political and personal enemies of mine, which could not have been brought about in any other way than through the careful manipulation of the United States district attorney in cooperation with the United States marshal's office, all being directed under the leadership of James Aloysius Farley. Upon the insistence of the United States district attorney the court bailiffs were instructed to install a radio in the jury room, and on the 6th day of June Secretary of Agriculture Henry A. Wallace, whose resignation I had demanded in a resolution which was adopted at the National Farmers' Holiday Convention, attended by some 10,000 farmers, and which resolution was adopted without a dissenting vote, felt a very sudden urge to come to the city of Bismarck and deliver a talk over the radio, attacking, by insinuation, all those opposed to his asinine agricultural program, and which talk the jury was allowed to listen to in their jury room.

As you know, Senator, I was one of the one or two Republican Governors elected in the 42 States which President Roosevelt carried in 1932, and I have bitterly opposed the program of the new-deal administration, as it was then and as it is being continued, and as a member of a committee of Governors I called on President Roosevelt and Secretary of Agriculture Wallace in Washington, and in no uncertain terms I protested to them against their policy of destruction of grain crops, of beef and hogs, and other agricultural foodstuffs in these United States, while at the same time they were allowing to be imported into these United States millions of bushels of wheat, rye, oats, and barley, millions of pounds of beef, and butter, and eggs, and other agricultural products to compete with the American farmers.

Immediately upon my return to North Dakota after this conference at Washington the Federal Government sent a number of detectives and auditors, spending thousands of dollars, all working under the direction of James Aloysius Farley. These auditors and detectives went over every act of my administration with a fine-tooth comb in a desperate attempt to get something on a Republican Governor; and after spending over \$100,000 the only thing they could find was where a young boy had gone into the State emergency relief office and solicited some \$75 or \$80 for sub-

scriptions to the Republican newspaper called "The Leader", and whose owner and publisher is one O. E. Erickson, chairman of the Republican State central committee.

These Federal operators—with the full approval of the Postmaster General and the Department of the Interior—tapped the telephone wires to the Governor's mansion and to the Governor's office; they opened my mail addressed to the Governor of a sovereign State and photographed the same. They opened telegrams and photographed the same, addressed to me as the Governor of North Dakota. In fact, they resorted to every means possible to endeavor to get something on me.

Then, under the direction of James A. Farley, they revoked the second-class mailing permit of the Republican newspaper, the Leader, without complaint of any sort and without a hearing. This whole lawsuit, Senator, was started by a bureaucratic, dictatorial administration in Washington under the guidance of Tammany Farley, because they found a Republican Governor would not bend his knees, nor would he give up the constitutional, inherited rights which this sovereign State possesses.

I know somewhat of the persecution which you have gone through yourself, and the people of this State will be mighty, mighty grateful to you if you can in some way cause a senatorial investigation to be made of the trial against me and the other defendants. I am positive that if the true facts are unearthed, with what has already come to light, the whole deal will smell to the high heavens, and the citizens of this Nation ought to know what sort of autocratic tyrants have, under false pretenses, taken possession of their Government and are seeking to repress, subvert, and destroy any opposition or means by which the people can come to know what they are doing to their Republic.

I will send you testimony sworn to by Congressman USHER L. BURDICK before a house investigation committee of the North Dakota State Legislature, and I particularly want to call your attention to that part of Congressman BURDICK's testimony relative to a conversation he had with the United States marshal, Osmund Gunvaldson, wherein Gunvaldson said they would get me if it was the last thing they did, and that they had the cooperation of the Democratic administration in doing this. This testimony is corroborated by one H. C. Schumacker.

I will send you also other affidavits and testimony which are very material to this case to show the depths to which the new-deal administration, under Jim Farley, went to in a desperate attempt to railroad a Republican Governor to the penitentiary; but I thank God we still have courts in this country which believe in upholding the Constitution of the United States as well as the laws of the land and that we still have courts which cannot be browbeaten or bribed into doing the will of this new-deal dictator now in Washington; but if this new deal, so called, is allowed to continue to appoint courts whose appointees are selected by James Aloysius Farley, the safety and rights and liberties of the citizens of this great country can no longer be guaranteed. The people of my State will deeply appreciate and will cooperate with you in seeing that this rotten mess is brought to the light.

With my kindest personal wishes for your continued success, I remain,

Yours respectfully,

WILLIAM LANGER.

A CONSTITUTION FOR CORPORATIONS—ADDRESS BY SENATOR O'MAHONEY

Mr. LA FOLLETTE. Mr. President, the Senator from Wyoming [Mr. O'MAHONEY] delivered a very interesting address, August 25, 1935, over the radio in connection with the subject matter covered by an important bill which he introduced, Senate bill 3363, a bill to insure domestic tranquillity and to promote the general welfare by regulating and promoting commerce with foreign nations and among the States in commodities and industrial articles, to regulate the flow of such commerce, to prescribe the conditions under which corporations may engage in such commerce, to provide for the formation of corporations to engage in such commerce, and for other purposes. I ask unanimous consent that the address may be inserted in the RECORD.

Mr. NORRIS. Mr. President, may I ask the Senator what the bill is?

Mr. LA FOLLETTE. It is a bill to provide, among other things, for the licensing of corporations doing business in interstate commerce.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Do you remember the story of the aged Isaac and his two sons, Esau, the beloved first-born, and Jacob, whom his mother, Rebecca, taught to dissemble that he might receive the blessing intended for his elder brother?

His hands covered with the skin of a goat so that the blind patriarch might mistake him for the hairy Esau, Jacob approached

his father's bedside. "The voice is the voice of Jacob," said the old man, "but the hands are the hands of Esau." And Jacob, who had already traded his more simple brother out of his birthright, received the blessing that Isaac wanted to bestow upon Esau.

Today managers of great corporations, financiers who have already traded the States out of their economic birthright, which is the power to regulate corporate commerce, are playing the role of Jacob before the American people. Arrayed in the habiliments of defenders of the Constitution, they seek the blessing of the people that they may resume complete, unregulated, and irresponsible sway over the economic fortunes of America. The voice is the voice of Monopoly, though the hand seems to be the hand of the constitutional fathers.

MONOPOLY DEFENDS THE CONSTITUTION

From the headquarters of many a corporate giant there is pouring over the land an incongruous flood of literature in defense of popular rights. The president of a great nationally known corporation, the parent of a numerous progeny of affiliates and subsidiaries, doing business in every village and hamlet, only a few weeks ago sent a letter to every one of his four-hundred-and-fifteen-thousand-odd stockholders attacking a recent act of Congress and implying that the interests of the small stockholder are being put in jeopardy at Washington. The president of a powerful New York bank is sending copies of the Constitution to his stockholders and customers, telling them that legislation by representation is the heritage of all Americans and implying that the principle of popular government is somehow being endangered by the National Government.

In like manner, other captains of commerce and industry are raising the banner of the Constitution. Employees, stockholders, and the public generally are asked to believe that the foundations of our American system are being undermined by those who would rescue the people of America from the economic despotism which during a generation has driven 70 percent of our population below the poverty line though the general wealth of the Nation has been steadily increasing all the time. A great campaign is underway to reestablish, not the freedom of the individual, but the freedom of corporate monopolies to control the economic resources of the United States.

The Constitution of our country was drafted in 1787 to establish and perpetuate free popular government. How much popular government exists today with respect to the huge corporate agencies that dominate the economic life of this Nation? How much control does the public exercise over them? How much control do their own stockholders exercise over them? Every person who hears my voice knows that the principles of self-government upon which our political system is based have little or no application in the modern corporate economic system by which are carried on the industry and commerce that affect the happiness and prosperity of 125,000,000 people.

CORPORATE SYSTEM A MODERN FEUDALISM

I am perfectly well aware of the fact that the great majority of the officers and directors of American corporations are sincere, able, and patriotic men. I know that most of the stockholders and employees are likewise inspired by the highest motives and that they desire not only justice for themselves, their associates, and their customers, but also the maintenance of all the traditions of popular government and liberty which have made ours the greatest Nation of all times. I know that the corporate system has been and will continue to be an indispensable factor in the development of our country. But the fact remains that it is governed by the principles of feudalism, not by the principles of democracy.

If you are a stockholder in any national corporation engaged in national commerce, let me ask you what voice or representation you have on the board of directors of the corporation in which you have invested your savings. The answer, unless you are yourself a member of the board, is, none; and this is true whether you own voting stock or nonvoting stock, preferred stock or bonds; you are actually without representation in the corporation to which you have committed your fortunes. You have entrusted your capital to men whom you do not know and who, though they are in fact your employees, you cannot discharge or even direct.

Under the present corporate system you must act entirely upon faith. I freely acknowledge that in most instances this faith is wholly justified, but the managers of your corporation may, if they choose, use your money for their own personal advantage. They may, if they choose, use for wholly selfish purposes the tremendous economic power that has been placed in their hands through the investments of hundreds of thousands of trusting citizens. You have nothing in the world to say about it. You are absolutely at their mercy. The employees of these far-flung economic institutions, men and women who are numbered in the millions, are equally helpless though, unlike the stockholder who invests money, they have invested their very lives.

This, then, is the fact to which we cannot close our eyes, that neither stockholders nor employees nor the public at large have had any effective protection under our present corporate system. This is not because the power is lacking or because the need of establishing what might be called a national constitution for national corporations has not been recognized. It is solely because, though urged to do so for a generation by the ablest statesmen

and jurists, Congress has not exercised the power which the Constitution unquestionably gives it to regulate national commerce in the public interest.

NATIONAL CONTROL FOR NATIONAL COMMERCE

We shall fail to understand this problem unless we keep constantly in mind the fact that when the Constitution was drafted there were no national industrial and commercial corporations. They are the product of the last 70 or 80 years. We have never had a national incorporation law, though a quarter of a century ago, in a special message to Congress, a president—William Howard Taft—who later became a Chief Justice of the Supreme Court, urged one. Because we have had no such law, the corporations which shape the economic life of the whole people came into existence under charters granted by the several States under local and special laws. A corporation which receives its existence from Delaware or New Jersey under a charter which increases the powers of management to the highest degree and reduces its responsibility to the lowest, carries on its business throughout the land, regardless of State lines and, to all intents and purposes, above the law. These corporations are greater than many of the States, with more stockholders and employees than some States have inhabitants, with greater assets and larger revenues than many others.

The people of America would not think of allowing a self-perpetuating board of managers, operating under self-drafted regulations, to rule a political state. Yet that is exactly what we tolerate with respect to these great corporations which are the very nerve system of our economic life. And because there is no national rule to restrain them, a few ambitious and irresponsible men in positions of corporate authority have the power to destroy the security of our entire industrial and commercial structure.

There is not a banker or a lawyer or a business man in any community of the country who does not know how wide-spread, serious, and unwarranted have been the abuses of corporate power, abuses which have been made possible because the checks and balances which the Constitution imposes upon political government are utterly lacking in corporate government. To these abuses, more than to any other one thing, may be attributed the disaster of 1929; and it may be predicted with absolute certainty that no mere political change can effect permanent economic stability until as a Nation we have developed a means of establishing in commerce and industry the same principles of representative government of which we have been so proud in our political institutions.

As is so often the case in ordinary human contacts, our chief trouble arises from a misconception of a simple fact. As a people we have confused corporate rights and personal rights. We seem to have completely forgotten that corporations are the creatures of the people, with no rights or powers save those conferred upon them by the people through their governments, and that it is the solemn duty of the National Government, since the State governments are powerless, so to circumscribe the activities of the corporations as to preserve all of their undoubted advantages as instruments of social and economic progress while preventing the misuse of the powers with which they are endowed.

Of course, the managers and stockholders of corporations are fearful of Government interference. Of course, the people are fearful of too much government. Of course, it is not the business of government to meddle in personal and private affairs. The Jeffersonian axiom that "that government is best which governs least" is still the rule by which we should guide our course. But of what avail is it to curb irresponsible political power if we allow irresponsible economic power to remain unrestrained? It is only because we have permitted arbitrary economic power to dominate our national commerce and industry that it has been necessary for the Federal Government to use the emergency powers which alone rescued this Nation from the brink of irreparable disaster to which unregulated, irresponsible economic power had brought it.

INDUSTRIAL FEUDALISM AND BUREAUCRACY—TWIN DANGERS

We must recognize that not alone management but the stockholder has a stake in corporation control. We must recognize that not alone the owners and managers of capital but the wage workers have a stake in corporation control. We must recognize that not only capital and labor but the consumer and the numerous public also have a stake. For we have come to that point in our national development when we must realize that no man, no State, no industry can live an isolated life. The complexities of our modern existence are such that we rise and fall together—one great Nation of Americans under the Constitution in an indestructible Union of indestructible States. We cannot continue to permit industrial corporations, created by authority of the people, to handle the very subject matter of our existence without effective responsibility to law. Continued failure to act means one of two things; either that industrial feudalism will crush our boasted liberties and destroy the Constitution under a species of fascism, or those same liberties will be lost through an equally abhorrent centralization of power in bureaucracy. This twin danger has been growing almost unobserved for more than a generation. If we are to avoid it, all the patriotism, all the patience, all the vision of our people will be needed.

The answer to this problem is democracy in industry under a national statute which shall not put commerce and industry under the heel of some bureaucracy but which shall lay down the broad general rules under which national corporations must operate in the national interest. To this end I have recently introduced in the Senate of the United States what I believe to be a perfectly constitutional bill to regulate commerce among the States by providing a national licensing system and a national incorporation law. The purpose of the plan outlined in this bill is not to regiment business or industry, but to release it; not to suppress it, but to foster it; not to check the expansion of any unit, but to make possible a continuous growth by which the immeasurable and boundless potentialities of our national resources may be made available to all our people.

There is no reason for the existence of economic misery under our flag if we but have the will to push forward with common sense and tolerance under the Constitution.

DEVELOPMENTS UNDER NEW POLICY OF INDIAN BUREAU

Mr. DICKINSON. Mr. President, I ask unanimous consent to insert in the RECORD certain data with reference to developments under the new policy of the Indian Bureau.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DICKINSON

My colleagues, there is a department of our Government which receives very little attention from any of us in this Senate unless we happen to be upon the committee which deals directly with that Department. I am speaking of the Indian Bureau in the Department of the Interior. I myself have given scant heed to this Department because of the fact that I have no Indians in my own State upon reservations.

But during this session of Congress, there have been some surprising facts called to my attention by the Indians themselves regarding the manner in which the money appropriated by this Congress, supposedly for the Indians, is being spent by the present Commissioner of Indian Affairs. And that is a matter which touches every Member of Congress, particularly those of the more densely populated States where there are few if any Indians, because all taxpayers contribute to Federal taxes for the support of this Bureau of Indian Affairs.

Looking into the records, I find that the following sums of money have been appropriated to this Bureau since the present Commissioner, John Collier, was appointed in 1933:

Fiscal year ending June 30, 1934.....	\$24,857,145.67
Fiscal year ending June 30, 1935.....	21,151,185.00
Supplementary deficiency bill just passed.....	1,558,312.02
Allocations from various public-works funds up to Feb. 1, 1935.....	44,475,500.00

Making a total of..... 92,042,142.69

And the cost for the current fiscal year of 1936 will be even greater; the appropriations for the fiscal year ending June 30, 1936, total about \$27,187,965; two other pending deficiency bills carry appropriations for some \$30,000 and there are bills authorizing the appropriation of additional sums in the neighborhood of \$235,000. These known appropriations make a grand total of some \$199,495,107. There are no figures available at this time to indicate just how much of the \$4,000,000,000 relief fund has been allocated to the Bureau but judging by the former allocation, it is reasonable to presume that it will be in between forty and fifty millions of dollars at least.

As long as the Federal Government continues to hold these Indians in a status of wardship and keep their entire resources under Government control I feel that there is properly a burden upon the Government to provide for these wards. I have no objection to money being appropriated which will settle their long overdue claims or actually benefit them by making American citizens out of them, as was the original intention and purpose of the Bureau.

But these are very huge amounts of money which are being turned over each year to this Bureau for the administration of the affairs of about 340,000 wards, and it is unquestionably the right of every American taxpayer to know whether that money is actually being used to make American citizens out of the Indians. The Indians themselves contend that the present Commissioner of Indian Affairs, John Collier, is trying to make communists out of them, and that all of his efforts since becoming Commissioner have been to force his socialist ideas upon them under the guise of giving them self-government through the so-called "Wheeler-Howard Act", which was passed by this Congress in the last session. They maintain that this legislation, for which neither my distinguished colleague, Hon. Burton K. Wheeler, nor Representative Howard took responsibility, but introduced by request, had its inception in the American Civil Liberties Union, of which a subcommittee of the New York State Legislature in 1928 said:

"The American Civil Liberties Union, in the last analysis, is a supporter of all subversive movements."

The Indians contend that through this legislation the Commissioner and his appointees and associates are trying to gain control over their affairs and segregate them from the rest of the American citizenry; that they are being denied their constitutional rights of free speech through the denial of work relief to all those who oppose the policies of the Bureau; that both he and his employees discourage the teaching of Christianity among the Indians, to the extent that one missionary at least has been forced to give up his work among them and that religious services in the Government-maintained schools have been discontinued; that the constitutions which are being submitted to them contain no element of self-government but leave all power in the hands of the Secretary of the Interior and, through him, the Commissioner, and that very dangerous power is therein provided for the removal from a reservation of any who may be declared undesirable; that a continuous campaign is being carried on among them designed to incite race prejudice and disrespect for law and order as administered by State and Federal courts; and the further fact that a book dealing with the achievements of the new Russia, which openly attacks the American Government, has been introduced into at least one school, among children whose minds are at a formative stage and who do not have the adult background of knowledge necessary to properly judge this book. The Indians not only contend these things; they have documentary evidence which supports their contentions.

From the record of testimony taken before a subcommittee of the House Indian Committee there can be no doubt that the Commissioner is totally un-American in his ideas. He has been busy building what he terms a "Navajo world" down in the Southwest. Thus far the cost of the Navajo capitol alone is \$950,000, and he frankly stated that it was not completed and more money would be needed to complete and equip it. Around this he is having constructed what he terms a "community centers", which cost from twenty to forty thousand dollars apiece, for construction alone, and which will take care of about 24 pupils apiece. Wells for these "centers" are to cost an additional, conservatively estimated, \$350,000. About \$2,225,000 for a Navajo world.

The idea of such a thing in America is preposterous. Are any of the other racial groups in America to have a world of their own, financed at the expense of all taxpayers? And the cost of the buildings is extremely excessive. All of them are built of native material and with native labor for the most part. Is there any rural community in America today that has a twenty- or forty-thousand-dollar schoolhouse for 24 pupils?

All of this is evidently with the full approval of the Secretary of the Interior, in whose Department this Bureau exists. In the Reclamation Era for May 1935, Public Works Administrator Harold L. Ickes, speaking of the various public-works projects, includes the "First Indian capital in the United States" and says, "May I suggest now that our people go and inspect—the first Indian capital in the United States—to see how their money has been put to work, how useful public works have been added to the capital wealth of the Nation." It is my opinion that if this Indian capital is an example of useful public works, then the people of this Nation are being defrauded out of hard-earned tax money. In these schools, it appears from the record, the Commissioner is planning to inaugurate not an American system of education for these Indians, but a Mexican system. Speaking before the subcommittee, he stated that he had been instrumental in having a Mexican educator, Dr. Moses Saenz, come to this country to give the Indian Bureau "very severe criticism for our overloaded and overmechanized and unrealistic school system" and to "give us the viewpoint of one who has developed a much more economical and practical system of schools." This advice cost the Americans \$1,500, taken out of the money appropriated by Congress for the education of the Indians. The last available report shows that 25 percent of all Indian children of school age are not now in any kind of a school and the reason for this, according to the Indian Bureau, is that there is not sufficient money. Now, if the Commissioner wants criticism about the profligate way in which the Bureau spends money for the meager results shown—and these \$40,000 schools for 24 pupils are an example of it—there is no need to go out of this country to secure that criticism. I am here to give it in no uncertain terms and there will be no need to deprive any child of schooling to pay for it either.

Of the Mexican school system, the Commissioner said that he thoroughly approved of it, although he denied any knowledge of the atheistic pledge required of all teachers in that country. He further stated that he considered the "Mexican ejita school system" as a wonderful system, "almost the most perfect in the world." What, might I ask, is wrong with our own school system and our American educators?

Even more outrageous than this, is the employment by the Department of the Interior of a man who had to take out his first citizenship papers before he could be given a high-paid position in the vast land-buying program of the Indian Service. Asked by a member of the committee whether America did not have a man to fill that particular place and had to send to Turkey, the Commissioner replied, "I doubt if there is anybody else available here who can do what he is doing and has such a combination of talents and learning. If there is another like him, we would hire him, even though he were from Baluchistan." Highly trained

Americans are walking the streets in search of employment but when our Government has a well-paid position to offer, it must needs naturalize an alien.

I have been examining that record of testimony before the subcommittee of the House Indian Committee that has just been released. There seems to be plenty of evidence to support the contentions of the Indians. At the referendum elections which are held among them regarding the Wheeler-Howard Act, so called, only those on the list of eligible voters which is prepared in the Indian Bureau are allowed to vote. All those who do not cast a ballot are counted as voting "yes." In one place they even counted the vote of a man who was actually known to be dead, as well as many others whose whereabouts were unknown. Where, in America, can any justification be found for such an unfair procedure? Such a policy, applied to all the registered voters of the Republican Party, would work a terrible hardship upon the Democrats in any election.

Saying that he is giving the committee "something from which he could not be persuaded by any fear of his future", we find the Commissioner clearly putting himself on record as approving of the leadership of Roger N. Baldwin and the activities of the American Civil Liberties Union, of which he is a leader. The records disclose that the close associates of the Commissioner for the past 20 years have been radicals and Socialists. Two of his present associates, at least—Nathan Margold, Solicitor for the Department of the Interior, and Robert Marshall, Chief Forester of the Indian Bureau—are known to be supporters of subversive movements in the United States. The Commissioner said, too, that he believed that both Secretary and Mrs. Ickes would agree with all that he had to say in approving Roger N. Baldwin and the American Civil Liberties Union, which upholds the right of a citizen or an alien "to advocate force and violence, murder, and assassination in the overthrow of government."

Here, as in other departments of our Government today, we have an example of these radicals who are boring from within to insidiously undermine the very structure of our Government. Here, again, is an example of the platform and principles of the Democratic Party being scrapped in favor of the platform of the Socialists. And here, again, are found in control not the members of the Democratic Party but the members of the radical and Socialist malcontents who have taken over control of the Government.

This question is not one of just Indian concern. It is the concern of every loyal American, of every Christian, and of every taxpayer. The Indians themselves constitute but a small minority group. But they are already, through their status of Government wards, so subject to Bureau control, both as to person and property, that they are helpless to defend themselves from this continued effort to force atheism and communism upon them. Millions of dollars have been spent by Christian missionaries to teach Christianity among the Indians. Millions of dollars have been spent by the American Government to educate them to become American citizens. Is all of this to be tossed lightly aside? Can we, as Americans, permit these wards of the Federal Government to be educated in the Government-maintained schools in the ways of atheism and communism?

The resources of the Indians, according to the Commissioner, amount to more than a billion dollars. The cash resources are being seized as rapidly as possible by the Commissioner with or without the consent of the Indians to promote his scheme of cooperatives—markets, hotels, stores, and what not. Any income from these enterprises, so it is said, is not to be based upon per capita distribution, in accordance with per capita contribution, but is to be based upon per capita consumption from the co-operative stores, thus effectively forcing the Indians to deal at these stores in order to realize any profit from their investment. There are indications that work-relief wages on some projects are being contributed, by order of the Commissioner, to the amount of 25 percent, for a fund to purchase tools, etc., while work aggregating 25 percent of the basic wage scale is being demanded of the Indians in advance of their employment, which means that the Indians actually receive only 50 percent of the basic wage scale for labor performed. Even Russia does not exact any such toll from her workers; and the work-relief funds themselves are being used as a means to force the Indians into submission, as is clearly evidenced by a letter dated April 30, 1934, and signed by the Secretary of the Interior, wherein he states that opposition to the Department plans will mean immediate dismissal; and by a further letter from a superintendent of a reservation stating that all persons who engage in opposing the policies of the Department will be dropped from the lists of those eligible for work relief. Not only have these orders been issued; they have been carried out.

Such autocratic, arbitrary measures have no place in America. They should be uprooted before the hold of this group of radicals upon the resources of these Government wards becomes any greater. The American Indian Federation, of which Hon. Joseph Bruner, of Sapulpa, Okla., is the able and fearless president, has requested the removal of Commissioner Collier and his associates and the repeal of the infamous Wheeler-Howard Act, so called. In the interest of preserving those sterling qualities of "life, liberty, and the pursuit of happiness" and "equal justice under law" embodied in that great Constitution of this Nation which has brought us forth to our present high place of honor among nations, these pleas for relief from such totally un-American and

obnoxious conditions should be heard and acted upon. The vast army of overburdened and forgotten American taxpayers have unwittingly and unknowingly contributed since July 1933 more than \$119,000,000 to support in high public office, at very substantial salaries, these radicals, referred to by the Indians as "political mavericks", and to supply them the funds with which to establish communistic government in free America. My colleagues, it is our duty as Americans to take cognizance of these facts and to stop these practices within our Government.

I thank you.

IMPORTATION OF WHEAT IN BOND FOR MILLING PURPOSES

Mr. CAPPER. Mr. President, I have received the following telegram, and I might say it is one of many similar protests I am receiving, from Farmers Union Local No. 882, Lindsborg, Kans. I read the telegram, which is brief:

The members of the Farmers Union Local No. 882 urge you to use your influence to secure immediate legislation to prohibit importation of wheat in bond for milling purposes.

This telegram is signed by David Rain, secretary.

Needless to say, Mr. President, I realize that nothing can be done to correct this situation at this session of Congress. Also, I realize that it is not a simple proposition, nor one easy of correction.

But I do say it is manifestly unjust to American wheat growers and to American millers away from the Canadian border, and particularly unfair to the southwestern mills and wheat growers, to allow Canadian wheat to be imported into this country, practically free of duty, for milling purposes.

I hope the Senate Finance Committee, at the next session, will work out an amendment to the tariff act which will adjust this provision in the interests of American agriculture and industry.

I ask unanimous consent to have the telegram printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

LINDSBORG, KANS., August 24, 1935.

Senator ARTHUR CAPPER,

Washington, D. C.:

The members of the Farmers Union Local No. 882 urge you to use your influence to secure immediate legislation to prohibit importation of wheat in bond for milling purposes.

DAVID RAIN, Secretary.

BUREAU OF NAVIGATION—EDITORIAL FROM WASHINGTON POST

Mr. COPELAND. Mr. President, I am very much disappointed that the Senate failed to pass the bill providing for the reorganization of the Bureau of Navigation and Steamboat Inspection service. As I view it, the measure is in the interest of safety, and everyone considers it a matter of great importance. However, it was impossible to obtain action.

There appeared an editorial in this morning's Washington Post entitled "Inexcusable Oversights", and I ask unanimous consent that it may be printed in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of Aug. 26, 1935]

INEXCUSABLE OVERSIGHTS

To those whose memories run back as far as a year ago when the *Morro Castle* burned, to be followed only a few weeks later by the sinking of the *Mohawk*, it will be heartening to learn that the two tragedies have not been entirely forgotten; a marine bill has been passed by both Houses of Congress and forwarded to the White House for signature. It fixes the liability of shipowners.

Beyond that no complete action has been taken affecting the operation of ships at sea. The Senate has passed a bill extending load-limit regulations to ships in coastwise and Great Lakes service. The House has passed a measure to improve the organization of the Bureau of Navigation and Steamboat Inspection service. Whether, with trunks already packed, Congress can be expected to give further consideration to either bill before adjournment is highly doubtful, but no effort should be spared to recall these measures to its attention.

The Senate bill is designed to minimize dangers from overloading, such as beset the *Vestris*, and if passed would permit the application to coastwise shipping of safety provisions now applied to ocean-going ships under the terms of the international treaty of 1930. Much more important is the bill passed by the House. It would empower the United States officially to inspect and pass

upon the construction of passenger and freight vessels and to enforce with greater efficiency existing regulations promoting safety at sea.

It would be an inexcusable oversight to adjourn without action on these two undebatable bills. If they are sidetracked, there will be nothing for Congress to do at the time of the next marine tragedy but to pass more resolutions of sorrow and demand still another angry investigation.

OLD-AGE PENSION ACTS—ARTICLE BY FLORENCE E. PARKER

Mr. HOLT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article entitled "Experience Under State Old Age Pension Acts in 1934", by Florence E. Parker, of the Bureau of Labor Statistics.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Monthly Labor Review for August 1935]

EXPERIENCE UNDER STATE OLD AGE PENSION ACTS IN 1934

By Florence E. Parker, of the Bureau of Labor Statistics

The greatest territorial expansion, in terms of actual effectiveness of the system, yet experienced since the introduction of the public pension system in the United States occurred during 1934. At the end of the year pension systems were in actual operation in the whole or part of 25 States and 2 Territories, including within their borders 56 percent of the total population of the United States. At the end of the previous year old-age benefits were being paid in only 17 States and 1 Territory, having 32 percent of the population. The number of paying counties increased during 1934 from 350 (45 percent of the total counties in States having pensions) to 924 (64 percent). This was due mainly to the putting into force of the State-wide systems in Colorado, Indiana, Iowa, Michigan, North Dakota, Ohio, and Pennsylvania. At the close of 1934, 11 systems were in State-wide operation, as compared with only 4 in 1933. Within States where the systems were operative in greater or less degree in both years the pension plan was extended to 48 additional counties, the number rising from 350 to 398. Thirty-four of the new pension counties, however, were in one State—Minnesota—where the act became mandatory at the beginning of 1934.

The acts of Kentucky and West Virginia remained without effect in 1934 as in 1933, while the Maine law, passed in 1933, could not be enforced because of the legislature's failure to provide funds.

Of the 30 acts on the statute books in 1934, only 7 were optional with the counties, and 2 of these voluntary plans were inoperative. In the optional States counties having the plan in effect included only 48.2 percent of the population. In the mandatory States, on the other hand, the coverage was 93.5 percent.

More than twice as many persons received old-age assistance in 1934 as in the previous year, the number having risen from 115,547 to 236,205. The financial outlay, however, increased at a much smaller rate than the number of pensioners. Expenditures rose from \$26,167,017 in 1933 to \$32,313,515 in 1934, an increase of only 23 percent as against 104 percent in number of beneficiaries. The inevitable result was a marked decrease in the average monthly pension for all States combined, the rate falling from \$19.34 to \$14.69, or 24 percent. To a considerable extent this was due to the small allowances paid in the new pension States. In States having the system in both years the average pension fell only 1.7 percent.

Although individual pensions were reported equaling or even (in two instances) exceeding the maximum allowable under the State law, the average monthly allowances paid in even the most liberal States were only about two-thirds of the legal maximum. They ranged in the different States from 69 cents in North Dakota to \$26.08 in Massachusetts. Six States paid pensions amounting to \$20 or more per month, but 14 paid less than \$10. The amount of the pension is theoretically based upon the need and circumstances of the pensioner. It is known, however, that many counties have simply divided the available funds equally among the pensioners without regard to individual requirements. In large part this is undoubtedly due to the fact that in many jurisdictions funds have been so inadequate as to make impossible the payment of even subsistence benefits to any considerable number of persons.

Upon the basis of the data reported, it appears that State-aided systems are relatively the most generous, with State systems next in order. In 1934 the smallest allowances were provided in States in which the whole cost was borne by the county treasury. Average allowances under the State systems increased 12.2 percent from 1933 to 1934. Under the other two types of plans they declined—0.8 percent under the State-aided plans and 9.3 percent under the county systems. In 1934, 49.8 percent of the money spent for pensions was contributed by the counties and 50.2 percent by the States.

With the pension roll increasing and the funds either actually decreasing or increasing at an appreciably lower rate than the pensioners, the financing of the pension plans continued in 1934 to be the chief problem facing legislators and pension authorities. The special taxes, such as per capita and property taxes, imposed by some of the newer acts seem not to have fulfilled the hopes

of their proponents. Of the State systems with such financing provisions (Iowa, Michigan, Nebraska, North Dakota, and Wyoming) only one—that of Iowa—had sufficient revenue to pay allowances of as much as \$10 per month, and in two of the States the benefits averaged less than \$5. In Iowa the act did not go into full force until July 1, 1935; benefits were paid, beginning in November 1934, only in especially urgent cases. It appears that the most adequate support is accorded to the pension system in States where the cost is met from the general funds of the State rather than from the proceeds of a special levy. The actual collections from such special taxes frequently fall far below the estimated yield and the pension plan, of course, suffers accordingly.

The cost per capita of population averaged 60 cents in 1934, ranging in the various States from 2 cents in Michigan to \$1.24 in Colorado. Alaska had a per capita cost of \$1.83.

Judged by the three criteria of coverage, benefits, and proportion of persons of pensionable age being cared for, the systems of Arizona, Massachusetts, and New York ranked highest in 1934. At the other end of the scale were those of Idaho, Minnesota, Nebraska, Nevada, Utah, and Washington.

SCOPE OF STUDY

The above findings were disclosed by the regular annual survey of pension experience which has been conducted by the Bureau of Labor Statistics since 1928. This 1934 study covered all of the 30 States having legislation providing for assistance to aged needy persons. In the majority of States the information was obtained through the cooperation of State officials, but in jurisdictions having county-financed plans and requiring no report to any State office, the data were obtained from the individual counties. Reports were obtained for 1,393 (96 percent) of the 1,445 counties in the 30 States. It is believed that the data here presented give an accurate and generally complete picture of the situation in all of the States, with two exceptions: Because of conflicting reports from State and county sources, which could not be reconciled, only an approximation of the expenditures in Colorado could be made. In Massachusetts, one of the most important pension States, complete reports of disbursements do not become available until more than a year after the close of any calendar year, and the Bureau was therefore compelled to use the 1933 figures; average weekly benefits were, however, available and were used in the comparisons of average benefits in the various States.

PENSION SITUATION IN 1934

Summary data showing the operations in the various States in 1934 are given in table 1.

TABLE 1.—Summary of operations under old-age-pension acts, 1934

State	Year of passage of act	Counties in State		Counties having pension systems		
		Total	Number reported for	Number at end of 1934	Number of pensioners at end of 1934	Amount paid in pensions, 1934
Arizona.....	1933	14	12	12	1,820	\$427,527
California.....	1929	58	58	57	19,619	1 4,288,508
Colorado.....	1933 ¹	63	63	63	10,098	4 1,256,190
Delaware.....	1931	3	3	3	1,583	193,231
Idaho.....	1931	44	44	32	1,712	138,440
Indiana.....	1933	92	92	89	23,533	1 1,134,250
Iowa.....	1934	99	99	99	8,300	1 220,000
Kentucky.....	1926	120	120	-----	-----	-----
Maine.....	1933	16	16	-----	-----	-----
Maryland.....	1927	24	24	2	267	65,228
Massachusetts.....	1930	14	14	14	21,473	11 5,628,492
Michigan.....	1933	83	83	56	3,557	103,180
Minnesota.....	1929	87	77	40	4,425	577,635
Montana.....	1923	56	56	44	2,780	177,428
Nebraska.....	1933	93	80	24	926	13,577
Nevada.....	1925 ¹⁴	17	13	2	7	1,552
New Hampshire.....	1931	10	10	10	1,483	311,829
New Jersey.....	1931	21	21	20	11,401	1,773,320
New York.....	1930	62	62	62	51,834	12,650,828
North Dakota.....	1933	53	53	53	3,914	24,259
Ohio.....	1933	88	88	88	36,543	15 1,434,416
Oregon.....	1933	36	36	35	6,525	16 639,296

¹ Approximate; estimated on basis of State disbursements (about one-half).

² Year of present act; original act passed in 1927.

³ 55 counties.

⁴ Estimated on basis of returns by individual counties and report of State disbursements.

⁵ 11 months ending Nov. 5, 1934.

⁶ 4,589 actually on roll Dec. 31, 1931; others put on roll later, payments being retroactive to Nov. 1, 1934.

⁷ Estimated; last 2 months of 1934 only.

⁸ 1 county and city of Baltimore.

⁹ But system is on a city-and-town, not county, basis.

¹⁰ As of Mar. 31, 1935.

¹¹ Year ending Apr. 30, 1934.

¹² 38 counties.

¹³ Includes 1 county which ceased payment in November 1934.

¹⁴ Year of present act; first act, passed in 1923, was repealed the same year

¹⁵ Last 6 months of 1934.

¹⁶ 32 counties.

¹ Arizona, Colorado, Kentucky, Maryland, Minnesota, Nebraska, Nevada, Utah, Washington, West Virginia, and Wyoming.

TABLE 1.—Summary of operations under old-age-pension acts, 1934—Continued

State	Year of passage of act	Counties in State		Counties having pension systems		
		Total	Number reported for	Number at end of 1934	Number of pensioners at end of 1934	Amount paid in pensions, 1934
Pennsylvania.....	1933	67	67	67	18,261	\$386,717 ¹⁷
Utah.....	1929	29	20	8	902	86,416
Washington.....	1933	39	30	12	1,588	103,408
West Virginia.....	1931	55	55			
Wisconsin.....	1925	71	71	8	2,127	459,146
Wyoming.....	1929	23	18	17	719	82,732
Continental United States.....		1,437	1,385	917	235,397	32,177,608
Alaska.....	1929 ¹⁸	19	19	19	454	108,485
Hawaii.....	1933	4	4	3	354	27,427
Grand total.....		1,445	1,393	924	236,205	32,313,515

¹⁷ Month of December 1934.¹⁸ Year of present act; original act passed in 1915.¹⁹ Number of judicial districts.

The Iowa act, passed in 1934, did not go into complete operation until July 1, 1935. The law provided, however, for an emergency period (from Nov. 1, 1934, to July 1, 1935) during which allowances might be made to care for the most needy cases. In case of applications made before November 1, 1934, which were approved at any time during the emergency period, the allowance became retroactive to that date. Thus the approval of such an application on, say, April 17, 1935, would entitle the applicant to the allowance for the months of November through March, as well as for the succeeding months. At the end of 1934 there were 4,589 who had received allowances; between December 31 and the date of the State report to the Bureau of Labor Statistics (Mar. 11, 1935) the number of beneficiaries had risen to 8,300, all of whom had received their retroactive payments, and it was expected that even the latter figure would be increased.

The optional law of Kentucky, passed in 1926, is still inoperative. In 1934 the legislature passed an act providing for an amendment to the State constitution authorizing the legislature to "prescribe such laws as may be necessary for the granting and paying" of old-age pensions. The legislature directed that this act was to be submitted to the vote of the people at the next general election; the ballot of the 1934 election, however, did not include this measure.

In Maryland, for several years, the only part of the State in which pensions were being paid under the State act was the city of Baltimore. In 1933 a special State act made the system compulsory in Allegany County, and payments began there in June 1934.²

The cost of the system in Nebraska is met by the counties, which are permitted to levy a per capita tax of 50 cents for the purpose of raising funds.³ The act went into effect August 10, 1933, but most of the counties had already made their levy for funds for the year. The result was to suspend in those counties the operation of the act during 1934, as the court held that the pension levy could not lawfully be made except at the time of the general levy. Eighty of the ninety-three counties in the State have reported to the Bureau. Only 24 made payments under the act of 1934; of these, 1 began payments in March, 1 in August, 2 in November, and 10 in December. Twenty-seven counties reported that payments began or were to begin early in 1935; these had more than 3,000 applications on file at the end of the year.

The State-wide State-financed act of Pennsylvania became effective January 18, 1934, and the first payments were due December 1, 1934. So great was the number of applications that some of the counties were unable to complete their investigations in time to decide all of the cases by that date. In order not to penalize those whose cases were unfinished, their allowances, once granted, were made retroactive to December, if their applications were received before that time. A report received from the Pennsylvania Department of Welfare as of April 8, 1934, stated that 18,261 had at that time been put on the December pension roll. It was estimated that the funds appropriated would care for 31,000 persons, and it was thought that within the next few weeks the roll would have increased to that number.

The Washington act was held by the court to be mandatory upon the counties and they were directed to provide whatever funds were necessary to put the law into effect.⁴ In spite of this decision and the fact that some State aid was provided for by a later act, the reports to the Bureau of Labor Statistics show that at the end of 1934—18 months after the law became effective—only 12 of the 39 counties were actually paying pensions. Four additional counties expected to begin the payment of old-age assistance in 1935.

DEVELOPMENT WITHIN IDENTICAL STATES, 1933 AND 1934

Comparing only the States in which the law was in effect in both 1933 and 1934 the latter year showed a gain of 48 counties and of more than 17,000 old people cared for. Over \$2,000,000 more was expended for pension purposes.

² New act passed in 1935 changes these provisions. See p. 332.

Among the industrial States the only outstanding change in the number of counties paying pensions in 1934 was the gain of 34 counties in Minnesota in consequence of the coming into force of the mandatory provision of the act.⁵ Montana and Utah suffered a slight loss. In the remaining States the number of paying counties either remained unchanged or increased slightly.

In Montana, the oldest pension State, there were 44 counties which paid pensions at some time during 1934. One of these, however, discontinued payments in November, so that at the end of the year there were only 43 counties in which the system was in effect—a loss of 2 counties as compared with the end of the preceding year. Another county reported that it intended to discontinue the system. An additional county had stopped making cash allowances and was giving only grocery-store credit.

In all but three States the number of recipients of old-age assistance increased, in some States very markedly. The amount paid in benefits also rose in all but four States. In Nevada and Utah a decrease in disbursements was accompanied by a corresponding decrease in number of beneficiaries. In New York and Wyoming, however, the expenditures fell in spite of an increase in the pension roll.

The 1933 and 1934 operations are compared in table 2 for the 17 States in which the act was in effect in both years.

TABLE 2.—Number of adopting counties, number of pensioners, and amount paid in pensions in identical States, 1933 and 1934

State	Number of counties with system		Number of pensioners at end of—		Amount paid in pensions	
	1933	1934	1933	1934	1933	1934
Arizona.....	12	12	1,624	1,820	\$170,512	\$427,527
California.....	57	57	14,604	19,619	3,502,000	4,288,508
Colorado.....	54	63	8,705	10,098	172,481	1,256,190
Delaware.....	3	3	1,586	1,583	188,740	193,231
Idaho.....	29	32	1,090	1,712	114,521	138,440
Maryland.....	1	2	141	267	50,217	65,228
Massachusetts.....	14	14	18,516	21,473	\$5,628,492	(⁶)
Minnesota.....	6	40	2,655	4,425	420,536	577,635
Montana.....	45	44	1,781	2,780	155,525	17,426
Nevada.....	2	2	23	7	3,320	71,552
New Hampshire.....	8	10	776	1,483	122,658	311,829
New Jersey.....	19	20	9,015	11,401	1,375,693	1,773,320
New York.....	62	62	51,106	51,834	13,892,080	12,650,828
Utah.....	9	8	930	902	95,599	86,416
Wisconsin.....	8	8	1,969	2,127	395,707	459,146
Wyoming.....	17	17	643	719	83,231	82,732
Total.....	346	394	115,164	132,250	26,071,312	22,490,008
Total, excluding Massachusetts.....	332	380	96,648	110,777	20,442,820	22,490,008
Alaska.....	4	4	353	454	95,705	108,485
Grand total.....	350	398	115,547	132,704	26,167,017	22,598,493

¹ 55 counties.² Year ending Apr. 30, 1934.³ No data.⁴ Includes 1 which ceased payment in September 1934.

DEVELOPMENT UNDER OPTIONAL AND MANDATORY LAWS, 1934

The list of mandatory acts has grown longer with each successive year and that of optional laws shorter, as new mandatory acts have been passed and old voluntary ones amended to make them compulsory.

The voluntary systems in those States in which such systems were operative attained a coverage of 48.2 percent in 1934. Among the mandatory systems, on the other hand, the coverage was 93.5 percent. In 11 States the system was in State-wide operation at the end of 1934; at the end of 1933 only 4 States were in this class. State-wide operation, in itself, is not a satisfactory test of the efficacy of an act, however, as is attested by the situation in North Dakota where under a State-wide system benefits averaged only 69 cents a month.

TABLE 3.—Development of pension systems under optional and mandatory acts, 1934

State and type of law	Population of State, 1930	Number of counties in State	Counties reporting pension system in 1934		
			Number	Population	Percent of State population
<i>Optional</i>					
Hawaii.....	368,336	4	3	312,190	84.8
Kentucky.....	2,614,589	120			
Maryland.....	1,631,526	24	2	883,972	54.2
Montana.....	537,606	56	44	383,845	71.4
Nevada.....	91,058	17	2	4,656	5.1

¹ State act optional; made compulsory for Allegany County by special act of 1933.

² In 7 other counties applications were received and examined but no allowances were actually paid.

TABLE 3.—Development of pension systems under optional and mandatory acts, 1934—Continued

State and type of law	Population of State, 1930	Num- ber of coun- ties in State	Counties reporting pension system in 1934		
			Num- ber	Population	Percent of State popu- lation
Optional—Continued					
West Virginia	1,729,205	55			
Wisconsin ²	2,939,006	71	8	1,100,385	37.3
Total	9,911,326	347	59	2,685,048	26.8
Mandatory					
Alaska	59,278	4	4	59,278	100.0
Arizona	435,573	14	12	399,992	91.8
California	5,677,251	58	57	5,677,010	100.0
Colorado	1,035,791	63	63	1,035,791	100.0
Delaware	238,380	3	3	238,380	100.0
Idaho	445,032	44	32	346,948	78.0
Indiana	3,238,503	92	89	3,129,895	96.6
Iowa	2,470,939	99	99	2,470,939	100.0
Maine	797,423	16			
Massachusetts	4,249,614	14	14	4,249,614	100.0
Michigan	4,842,325	83	56	4,210,341	86.9
Minnesota	2,563,953	87	40	1,820,531	71.0
Nebraska	1,377,963	93	24	323,285	23.5
New Hampshire	465,293	10	10	465,293	100.0
New Jersey	4,041,334	21	20	3,970,525	98.2
New York	12,588,066	62	62	12,588,066	100.0
North Dakota	680,845	53	53	680,845	100.0
Ohio	6,646,697	88	88	6,646,697	100.0
Oregon	953,786	36	35	930,950	97.6
Pennsylvania	9,631,350	67	67	9,631,350	100.0
Utah	507,847	29	8	252,403	49.4
Washington	1,563,396	39	12	361,008	23.1
Wyoming	225,565	23	17	183,146	81.2
Total	64,736,204	1,098	865	59,772,287	93.5
Grand total	74,647,530	1,445	924	62,457,335	89.9

¹ Became mandatory July 1, 1935.² Not including States (Kentucky and West Virginia) in which acts were inoperative; if those States are included, percentage is 27.1.³ Not including State (Maine) in which act was inoperative; if that State is included, percentage is 92.3.

SIZE OF MONTHLY ALLOWANCES

Average monthly allowances ranged in 1934 from 69 cents in North Dakota to \$26.08 in Massachusetts. In 14 jurisdictions the monthly average was less than \$10, in 21 less than \$20, and in only 6 was it \$20 or over. The average monthly payments in the important industrial States of California, Massachusetts, New York, and Pennsylvania were closely grouped in amount, with Massachusetts leading the others by from \$5 to \$6. New Jersey, another leading industrial State, has always paid pensions considerably below those of its neighbor, New York. Ohio, of course, was just getting its system under way, and its experience is too short to permit judgment as to the liberality of the allowances.

In 16 States the actual pension was less than half and in the other States about two-thirds of the maximum permitted under the act. The size of the pensions paid in 1933 and 1934 as compared with the maximum payable under the act is shown in table 4.⁴

TABLE 4. Average pensions paid in 1933 and 1934 as compared with those allowable under act

State	Maximum payable under act	Average monthly pension		Range of individual monthly grants, 1934
		1933	1934	
Arizona	\$30.00	\$9.01	\$19.57	\$5 to \$30.
California	30.41	21.50	20.21	(1).
Colorado	30.41	8.59	9.74	\$1.50 to \$30.
Delaware	25.00	9.79	9.91	(1).
Idaho	25.00	8.85	6.74	(1).
Indiana	15.00		4.50	(1).
Iowa	25.00		13.25	(1).

¹ No data.

⁴ For those States for which the data were obtained directly from the counties and those for which no average figure was supplied by the State official reporting, the averages given in the table somewhat understate the actual monthly amount. The average for such States was obtained by dividing the annual disbursements by the number of pensioners on the roll at the end of the year. Especially in State-wide systems the experience shows that the number on the roll tends to increase month by month, so that the pension list at the end of the year is greater than the 12-month average of the monthly list would be. A check for the States of California, New Jersey, and New York, for which monthly reports are available, shows that the average computed as above fell below the average of the monthly averages by 1 percent in New Jersey, 10 percent in California, and 13 percent in New York.

TABLE 4.—Average pensions paid in 1933 and 1934 as compared with those allowable under act—Continued

State	Maximum payable under act	Average monthly pension		Range of individual monthly grants, 1934
		1933	1934	
Maryland	\$30.41	\$29.90	\$22.64	\$5 to \$30.
Massachusetts	(²)	24.35	26.08	(1).
Michigan	30.00		9.99	(1).
Minnesota	30.41	13.20	10.97	\$3 to \$35.
Montana	25.00	7.28	5.32	(1).
Nebraska	20.00		1.22	\$2.00 to \$15.00.
Nevada	30.41	15.00	18.48	(1).
New Hampshire	32.50	13.17	17.51	(1).
New Jersey	30.41	14.97	14.87	(1).
New York	(²)	21.55	20.65	(1).
North Dakota	12.50		.69	(1).
Ohio	25.00		6.54	(1).
Oregon	30.00		8.16	(1).
Pennsylvania	30.00		21.18	(1).
Utah	25.00	8.56	7.98	\$2 to \$20.
Washington	30.00		5.43	\$4 to \$30.
Wisconsin	30.41	16.75	19.95	(1).
Wyoming	30.00	10.79	9.59	\$2 to \$35.
Average (weighted)		19.33	14.68	\$1 to \$35.
Alaska	35.00	20.82	25.00	(1).
Hawaii	15.00		7.06	(1).
Grand average (weighted)		19.34	14.69	
Grand average, identical States (weighted)		19.34	19.00	

¹ No data.² No limit.³ Men; women \$45.

Conspicuous because of their extremely low average allowances were the States of Indiana, Nebraska, and North Dakota. Regarding the situation in Indiana, where benefits averaged only \$4.50 per month, the State auditor reported that many of the counties expected to increase the allowances on January 1, 1934. In Nebraska the low benefits were due to the failure of the per capita tax as a source of revenue. North Dakota had the doubtful distinction both of setting in its law a maximum allowance which is the lowest in the United States (\$12.50 per month) and of paying the smallest average benefit in 1934 (69 cents). The allowances awarded averaged \$129.73 for the year. Inability to collect the \$2 per capita tax was given as the reason for the disparity between the amounts awarded and the amount actually paid.

In February 1935, when the average pension in New York City was \$25.37, it was stated that 11.25 percent of the 23,492 pensioners were receiving \$36 or more per month.⁵

Theoretically every allowance made is supposed to have been set after detailed consideration of the applicant's circumstances and needs. In some of the better systems, in which investigation is carried on by trained and efficient workers and the number of such workers is sufficient to allow adequate case work, the theory is put into practice. A budget, varying in cost according to prices in the various sections, is carefully worked out and the pension allowed is based upon this budget and the circumstances of the individual case. This procedure can by no means be called general, however, and in practice the allowances in many places are more apt to depend upon the availability of funds than upon the pensioner's needs. Many of the counties reporting to the Bureau made a flat allowance without regard to individual circumstances.

The data are rearranged in table 5 to show the size of allowances paid under the different types of pension systems.

TABLE 5.—Comparison of benefits paid under county, State-aided, and State systems in 1933 and 1934

State and type of system	Average monthly pension	
	1933	1934
<i>County systems</i>		
Hawaii		\$7.06
Idaho	\$8.85	6.74
Maryland	20.90	22.64
Minnesota	13.20	10.97
Montana	7.28	5.32
Nebraska		1.22
Nevada	15.00	18.48
New Hampshire	13.17	17.51
Oregon		8.16
Utah	8.56	7.98
Washington ¹		5.43
Wyoming	10.79	9.59
Average (weighted)	10.86	8.60
Average, identical States (weighted)	10.86	9.85
<i>State-aided systems</i>		
Arizona	9.01	19.57
California	21.50	20.21
Indiana		4.50

¹ Pension act placed whole cost upon counties, but some aid provided by later act.

⁵ Speech of Ruth Hill, third deputy commissioner, New York City Department of Public Welfare, over Station WEVD, Feb. 14, 1935.

TABLE 5.—Comparison of benefits paid under county, State-aided, and State systems in 1933 and 1934—Continued

State and type of system	Average monthly pension	
	1933	1934
<i>State-aided systems—Continued</i>		
Massachusetts.....	\$24.35	\$26.08
New Jersey.....	14.97	14.87
New York.....	21.55	20.65
Wisconsin.....	16.75	19.95
Average (weighted).....	21.17	18.06
Average, identical States (weighted).....	21.17	21.01
<i>State systems</i>		
Alaska.....	20.82	25.00
Colorado.....	8.59	9.74
Delaware.....	9.79	9.91
Iowa.....		13.25
Michigan.....		9.99
North Dakota.....		.69
Ohio.....		6.54
Pennsylvania.....		21.18
Average (weighted).....	9.21	10.87
Average, identical States (weighted).....	9.21	10.33

Comparing only those States whose act was in force during both 1933 and 1934, it is evident that by far the largest benefits were paid under the State-aided systems, with State systems next in order. The smallest payments were made in States where the whole cost was met from county revenues. From 1933 to 1934 the average monthly allowance declined 9.3 percent under county plans and 0.8 percent under State-aided plans, but increased 12.2 percent under State plans.

The above figures relate to cash payments only. Of the 30 States which had pension acts at the end of 1934, the acts of 24¹ provide that in case the pensioner dies without sufficient funds for burial, the pension authorities may pay the cost of burial; and 19 States² allow medical and surgical care. Data as to cost of burials are available for Delaware and New Jersey. Those two States spent \$748 and \$18,820, respectively, for this purpose in 1934.

COST OF PENSIONS IN 1933 AND 1934

The steady increase in the number of pensioners in relation to population, shown in previous years, was continued in 1934 except in those States where the natural increase was influenced by other factors, such as financial stringency. The pension roll is, of course, also affected by general or local economic conditions and by the incidence of aged in the State population.

The trend of the pension roll and the cost of pensions, by States, is shown in table 6.

TABLE 6.—Trend of pension roll and per capita cost, 1930-34¹

State	Number of pensioners per 10,000 population in—					Annual cost per capita of population ² in—				
	1930	1931	1932	1933	1934	1930	1931	1932	1933	1934
Arizona.....				41	46				\$0.45	\$1.07
California.....	15	17	22	26	35	\$0.27	\$0.43	\$0.56	.62	.76
Colorado.....		5	29	95	105			.29	.19	1.24
Delaware.....		63	66	67	66		.56	.79	.79	.81
Idaho.....		25	38	36	49			.44	.40	.40
Indiana.....					75					.36
Iowa.....					34					.53
Kentucky.....	7	12				.04	.12			
Maryland.....	6	2	2	2	3	.10	.06	.04	.06	.07
Massachusetts.....		26	40	44	51		.43	1.05	1.27	(³)
Michigan.....					8					.02
Minnesota.....		12	24	25	24		.09	.34	.39	.32
Montana.....	22	26	29	46	72	.37	.43	.42	.41	.46
Nebraska.....					29					.04
Nevada.....	75	37	57	36	15	1.35	.80	.98	1.25	.33
New Hampshire.....		8	19	19	32		.07	.25	.30	.67
New Jersey.....			28	27	29			.34	.42	.45
New York.....		38	43	41	41		.95	1.23	1.08	1.00
North Dakota.....					57					.04
Ohio.....					55					.43
Oregon.....					70					.69

¹ Based only upon counties in which act was in operation.

² Computed on basis of full year, even though system was actually in operation only part of year.

³ No data.

* Alaska, Arizona, Colorado, Delaware, Hawaii, Idaho, Indiana, Iowa, Maine, Maryland, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, Utah, Washington, Wisconsin, and Wyoming.

* Alaska, Arizona, Delaware, Hawaii, Indiana, Iowa, Maryland, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New York, Oregon, Pennsylvania, Utah, Wisconsin, and Wyoming.

TABLE 6.—Trend of pension roll and per capita cost, 1930-34—Continued

State	Number of pensioners per 10,000 population in—					Annual cost per capita of population in—				
	1930	1931	1932	1933	1934	1930	1931	1932	1933	1934
Pennsylvania.....					19					\$0.43
Utah.....	30	28	29	28	26	\$0.26	\$0.30	\$0.16	\$0.29	.25
Washington.....					44					.37
Wisconsin.....	9	15	18	18	19	.15	.26	.34	.36	.42
Wyoming.....	16	19	28	34	39	.25	.16	.37	.44	.45
Total.....	(⁴)	28	39	36	38	(⁴)	.64	.77	.81	.60
Alaska.....	57	53	61	65	77	1.45	1.44	1.51	1.61	1.53
Hawaii.....					11					.09

⁴ Not computed for this year.

The number of pensioners per 10,000 of population at the end of 1934 ranged from 3 in Maryland to 105 in Colorado. It is interesting to note the high proportion of pensioners in some of the new State-wide systems (Indiana, North Dakota, Ohio, and Oregon) as compared with that under the earlier acts (California, Delaware, Massachusetts, New Jersey, and New York). In Iowa the system did not go into full effect until July 1935; the figures given in the table cover only emergency cases. In Pennsylvania the authorities had been able to handle only part of the applications by the end of the year and the revised figures (the applicants eligible for pensions during 1934 will receive retroactive benefits) will undoubtedly be substantially larger.

The annual cost of pensions per capita of population has naturally also risen with the increased number of pensioners, although this tendency has been counteracted in part by the lack of sufficient funds in some places and the consequent necessity for reducing allowances. In 1934 the cost of old-age pensions averaged 60 cents per capita of population, the range being from 2 cents in Michigan to \$1.24 in Colorado and \$1.83 in Alaska. The effect of an emergency State and Federal subsidy is shown in New Hampshire, where the per capita expenditure rose from 30 cents in 1933 to 67 cents in 1934. The only other outstanding changes from 1933 to 1934 occurred in Arizona, Colorado, and Nevada. In Colorado the cost rose from 19 cents to \$1.24, possibly because of the greater availability of funds through State aid. In Nevada the cost fell from \$1.25 to 33 cents, due to the fact that the number of pensioners cared for in 1934 was less than one-third of the number in 1933.

In connection with table 6, two points should be borne in mind: (1) The total cost to the taxpayers is somewhat in excess of that given above, for in the table the per capita cost was calculated only from the sums disbursed to pensioners. The cost of investigation and the other administrative expenses were not included.³ (2) On the other hand, practically all of the State laws provide that the State shall have a lien upon any property left by the pensioner, and some laws permit the authorities to take over the property of the pensioner even before his death should that be deemed necessary to protect the public interest. A certain amount of revenue is derived from this source. Thus, in New York, according to the annual report of the division of old-age security, \$227,152 was obtained from property and insurance of deceased pensioners during 1932-33 and \$308,668 in 1933-34. One county in Montana reported that pensions were being granted only to persons having property which could be willed to the county. A study made of the pensioners on the roll in Massachusetts, March 1, 1935, showed that 13.5 percent possessed real estate, 19.7 percent had some money in the bank or in stocks or bonds, and 42 percent had insurance.

ALLOCATION OF FINANCIAL RESPONSIBILITY

Of the 28 States and 2 Territories which had old-age pension or assistance acts at the end of 1934, 8 had laws under which the whole cost of the system was to be borne by the State or Territory. In 14 acts the payments were to be made by the county, but in 2 of these the city or town of residence of the beneficiary was required to reimburse the county; in one of these States (Washington), although the pension act itself placed the whole cost upon the counties, a later act extended some State aid. In eight acts joint provision of funds by State and county was required, and in one of these States the cities or towns were required to reimburse the county for sums spent in pensions.

Thus, some degree of financial responsibility was laid upon the counties by the laws of 21 States, and in 16 jurisdictions State funds were to be drawn upon wholly or partly.

The amounts and proportions actually supplied from State and county funds in 1934 are shown in table 7.

* In Delaware the cost of administration was 6.1 percent in 1932 and 1933 and 5.4 percent in 1934. The local administrative cost in New York during the fiscal year ended June 30, 1933, was 5.5 percent, and during 1933-34 was 6.7 percent.

TABLE 7.—Proportion of cost of old-age pensions borne by States and by counties in 1934

State	Amount paid in pensions from—			Percent of State aid provided for by State law	Percent actually paid in 1934 from—	
	State funds	County funds	Total		State funds	County funds
Arizona.....	\$286,004	\$141,523	\$427,527	67.0	66.9	33.1
California.....	2,144,254	2,144,254	4,288,508	50.0	50.0	50.0
Colorado.....	925,500	330,690	1,256,190	100.0	73.7	26.3
Delaware.....	193,231	—	193,231	100.0	100.0	—
Idaho.....	—	138,440	138,440	—	—	100.0
Indiana.....	567,125	567,125	1,134,250	50.0	50.0	50.0
Iowa.....	1220,000	—	1,220,000	100.0	100.0	—
Maine.....	—	—	—	50.0	—	—
Maryland.....	—	65,228	65,228	—	—	100.0
Massachusetts.....	1,876,164	3,752,328	5,628,492	33.3	33.3	66.7
Michigan.....	103,180	—	103,180	100.0	100.0	—
Minnesota.....	—	577,635	577,635	—	—	100.0
Montana.....	—	177,426	177,426	—	—	100.0
Nebraska.....	—	13,577	13,577	—	—	100.0
Nevada.....	—	1,552	1,552	—	—	100.0
New Hampshire.....	1233,872	77,957	1,311,829	75.0	75.0	25.0
New Jersey.....	1,329,990	443,330	1,773,320	50.0	50.0	50.0
New York.....	6,325,414	6,325,414	12,650,828	100.0	100.0	—
North Dakota.....	—	24,259	24,259	—	—	100.0
Ohio.....	1,434,416	—	1,434,416	100.0	100.0	—
Oregon.....	—	639,296	639,296	—	—	100.0
Pennsylvania.....	386,717	—	386,717	100.0	100.0	—
Utah.....	—	86,416	86,416	—	—	100.0
Washington.....	27,292	76,116	103,408	(4)	26.4	73.6
Wisconsin.....	75,000	384,146	459,146	33.3	16.3	83.7
Wyoming.....	—	82,732	82,732	—	—	100.0
Total.....	16,152,418	16,025,185	32,177,603	—	50.2	49.8
Alaska.....	108,485	—	108,485	100.0	100.0	—
Hawaii.....	—	27,427	27,427	—	—	100.0

¹ Estimated; last 2 months of 1934.² State and Federal funds.³ 25 percent was paid from Federal relief funds.⁴ Pension act does not provide for State aid but another act created special fund, from proceeds of tax on horse racing, to be used for pension system.

In general, the funds for the 1934 allowances were produced from the sources and in the proportion provided for in the laws. There were, however, a few outstanding exceptions. In Colorado, where it was the intention of the legislature that the State should finance the system, the counties disbursed a third as much as the State. In New Hampshire, as an emergency measure, the State paid half of the cost and used Federal relief funds to meet an additional 25 percent, so that the counties and towns charged in the law with the full cost were relieved of 75 percent of their burden. In Washington, where no legal obligation rests upon the State under the pension act, more than a fourth of the 1934 disbursements were met from the proceeds of the State tax upon horse racing. The State aid provided in Wisconsin has been falling further and further below the one-third set forth in the act, and in 1934 only 16.3 percent of the funds were actually furnished by the State.

SOURCES OF REVENUE FOR OLD-AGE ASSISTANCE²

The question how and where to find the money with which to finance the pension system has proved to be a difficult one. Legislatures in the different States have attempted in various ways to answer it, and with varying degrees of success.

The most general method of financing old-age assistance is by appropriation from the general fund of State or county. In two States (Idaho and Montana) the relief aspect of the system is emphasized by the provision that the allowances shall be paid from the county poor fund. Per capita taxes ranging from 50 cents to \$2 are provided for in three laws (Nebraska, Iowa, and Michigan), and a general tax on property in three States (North Dakota, West Virginia, and Wyoming). In two States (Colorado and Pennsylvania) the proceeds of several special levies are utilized wholly or partially for pension purposes. Thus in Colorado the pension funds are composed of revenue from liquor, corporation, inheritance, and sales taxes, and from automobile registration fees, and in Pennsylvania partly from the profits from the State liquor stores and partly from appropriations from general and special funds of the State. The counties in Pennsylvania are required to bear the expenses of investigation up to a maximum of 6 percent of the old-age-pension appropriation for the county. The State contributions in New Jersey are financed wholly from the inheritance tax.

Of the three States having the per capita tax, Iowa levies the tax upon all citizens resident in the State who are 21 years of age or over, except inmates of public institutions, and provides that employers shall deduct the tax from employees' earnings and forward the amounts to the State treasurer. In case of failure to comply with this requirement, the employer becomes liable for the amount of the tax. In Nebraska the per capita tax falls upon all inhabitants between the ages of 21 and 50 years of age who are not public charges and in Michigan upon all residents 21 years of age or over. The Nebraska act provides that in the event that the collections

² Discussion relates to situation as of end of 1934. New or amendatory provisions, enacted in 1935, have changed some of these provisions.

are inadequate, pensions shall be paid on a pro rata basis, and the counties are expressly prohibited from raising funds in any other way than by the per capita tax.

The sources of funds from which to defray the expense of old-age assistance, as provided for in the various acts, are shown in table 8.

TABLE 8.—Sources of revenue for State old-age-pension systems

State and type of system	State share raised from—	County share raised from—
County systems:		
Hawaii.....	—	General fund.
Idaho.....	—	General fund or poor fund.
Kentucky.....	—	General fund.
Maryland.....	—	Do.
Minnesota.....	—	Do. ¹
Montana.....	—	Poor fund.
Nebraska.....	—	50-cent per capita tax.
Nevada.....	—	General fund.
New Hampshire.....	—	Do. ¹
Oregon.....	—	Do.
Utah.....	—	Do.
Washington.....	—	Do. ¹
West Virginia.....	—	Property tax.
Wyoming.....	—	Do.
State-aided systems:		
Arizona.....	General fund.	General fund.
California.....	do.	Do.
Indiana.....	do.	Do.
Maine.....	Funds not yet provided.	—
Massachusetts.....	do.	Do. ¹
New Jersey.....	Inheritance tax.	Do.
New York.....	General fund.	Do.
Wisconsin.....	do.	Do.
State systems:		
Alaska.....	do.	—
Colorado.....	Various special taxes.	—
Delaware.....	General fund.	—
Iowa.....	Per capita tax of \$1, November 1934-July 1935; \$2 thereafter.	—
Michigan.....	\$2 per capita tax.	—
North Dakota.....	Property tax.	—
Ohio.....	General fund.	—
Pennsylvania.....	Liquor, income, and various special taxes.	—

¹ Reimbursed by cities or towns.² But later act provided for State aid from tax on horse racing.³ Of city or town.

Based upon the experience thus far, the consensus appears to be that the most satisfactory method is that of appropriating the necessary amounts from the general revenues of the State or county.

FINANCIAL PROVISION FOR PENSION SYSTEMS IN 1934

Wide variation has existed in the extent of financial support accorded to the pension systems. In some jurisdictions the revenues provided have been fairly generous in amount. In others the funds have been wholly inadequate.

The situation in a number of the States for which some information as to funds in 1934 is available is sketched briefly below.

California: No data are available as to the adequacy of the yearly appropriations from the general funds. However, the fact that each year the increase in the pension roll has been greater than in the preceding year would seem to indicate that fairly generous support was provided. The relative advance of pensioners and funds from year to year is indicated below:

Percent of increase over preceding year

	Pensioners	Amount spent
1931.....	37.2	50.1
1932.....	26.6	30.6
1933.....	16.6	9.3
1934.....	34.3	22.5

Colorado: In Colorado the funds raised from estates reverting to the State and the proceeds of the liquor tax are earmarked for the use of the pension system and the State treasurer is directed to apportion the money among the counties according to their population. In 1934 the sum thus apportioned amounted to \$925,500.

Beginning in 1935 part of the revenue from the State sales tax was set aside for pensions. During the first 6 months of 1935 the sum of \$960,900 had been allotted to the counties, of which \$366,400 came from sales-tax collections.

Delaware: The situation in this State is an example of what happens under the practice of fixed appropriations. The cost of the system (including administrative expense) has been limited to \$200,000 per year. Even with allowances of less than \$10 per person per month, the appropriation has been entirely inadequate to meet the need. At the end of 1934 there were 1,583 persons on the pension roll. This was a decrease of 3 from the previous year. On the other hand the waiting list had risen from 1,623 to 1,775.

Indiana: The Indiana Legislature appropriated \$1,254,169 for pensions in 1934, of which \$1,134,250 had been spent at the end of November 1934. The appropriation was increased to \$1,996,067 for 1935.

Iowa: During the emergency period before the Iowa act went into full effect (July 1, 1935) the allowances were financed by a \$1

per capita tax. At the end of 1934, payment had been received from 69 percent of the 1,460,929 citizens subject to the tax, the amount collected being \$1,004,403. On July 1, 1935, the assessment became permanent, at the rate of \$2 per year. An act approved May 4, 1935, appropriated \$1,000,000 for pension purposes.

Maine: This act has been held in abeyance until some means of raising funds could be decided upon. Various measures were considered by the 1935 legislature, and a bill which would have financed the pension system from the proceeds of a State lottery was passed by the house. When the regular session of the legislature adjourned, however, the problem of funds was still unsolved. A report from the State to the Bureau of Labor Statistics, as of May 10, 1935, expressed the opinion that a special session would probably be called in the event that a Federal act was passed.

Maryland: Since the city of Baltimore adopted the voluntary State system it has been making yearly appropriations of \$50,000 to \$55,000 for pension purposes. The inadequacy of these sums is shown by the fact that the waiting list in 1933 was about 1,600, as against an actual pension roll of 141; in 1934 there were 142 pensioners, but the waiting list had risen to 2,900. This situation doubtless will be remedied under the mandatory 1935 act, under which the counties pay only one-third of the cost.

Michigan: The law under which this State operated in 1934 was a mandatory one, to the cost of which no county contribution was required. The system was financed by a head tax of \$2. On the basis of the 1930 census, it was estimated that this tax would yield \$5,878,818, or more than sufficient to meet the maximum estimated cost. At the end of 1934, however, only \$365,618 had been realized from the tax, of which \$103,180 had been paid out in allowances.

Although the act set up a State-wide system, the State welfare department adopted the policy of allocating funds according to the tax collections in the counties. In 27 of the 83 counties no allowances were being made at the end of 1934, because of the inadequacy of the sums collected. By the beginning of May 1935, however, there were only nine counties in which the system had not gone into effect.

A new act in 1935 abolished the per capita tax and provided a State appropriation of \$2,000,000.

Nebraska: The task of raising money for pensions very seriously hampered the development of the system in Nebraska. Indeed, one county reported that the law was "so impractical that our county has ignored it except as to collecting a very small amount of the tax so far." Others were able to collect amounts far below those needed. The result of this general failure of financial support was that only 24 counties, or about one-fourth of the total in the State, had put the act into even partial effect. The 1935 act continues the \$2 per capita tax levied by the counties, but provides for appropriations by the State legislature.

New Hampshire: The old-age-assistance act of this State placed upon the county the responsibility for payment of pensions, with later reimbursement to the county from the city or town of residence of the pensioner.

Under an emergency act passed by the legislature in June 1933 the State took over the administration of the pensions as part of the general relief problem. The administration of the scheme during this period was, therefore, frankly on a relief basis. The act terminated December 31, 1934. During the 18-month period 50 percent of the cost of old-age assistance was paid by the State, 25 percent by the Federal Government, and 25 percent by the town or county.

It is understood that on January 1, 1935, the original financial arrangement contemplated by the pension act was reverted to.

North Dakota: The North Dakota system was to have been financed by a tax levy of one-tenth of a mill on the assessed value of all taxable property. It was estimated that this tax would produce about \$50,000 annually if all of the tax was paid. Actually it yielded only \$28,533.51.

The pension granted to the 3,914 persons whose applications were acted upon favorably called for an expenditure of \$507,744 during 1934. These persons actually received one payment only, at an average rate of \$6.19 per person.

Ohio:¹⁰ In 1934 the sum of \$3,000,000 was appropriated from the general funds of the State, plus \$150,000 for administrative expenses. The November special session of the legislature appropriated an additional amount of \$700,000 for pensions and \$125,000 for administrative expenses.

For the first 6 months of 1935 the sum of \$6,000,000 for pensions and \$375,000 for expenses was set aside from the proceeds of the State sales tax. It is estimated that the old-age-assistance system will cost about \$14,000,000 during 1935.

Oregon: In Oregon the counties were expected to meet all the expense of the mandatory pension system provided for by the act of 1933. At the second special session in 1933 the State legislature earmarked 75 percent of the liquor revenues to assist the counties in paying mothers' aid, old-age pensions, and unemployment relief. It is reported, however, that the money was not actually paid for these purposes but was turned over to the State relief committee. Consequently the counties were forced to bear the pension burden unaided. Under the new 1935 act the counties will pay one-fourth and the State one-fourth, it being assumed that one-half will be received from Federal funds.

Washington: The Washington pension law made no provision for State participation in the costs. A later act provided that collec-

tions from the State tax on horse racing should be used for pension purposes, and the reports to the Bureau of Labor Statistics show that \$27,292 was paid to the counties during 1934—more than one-fourth of the total sum spent in pensions. Under the 1935 act the State is required to pay the whole cost of the system.

Wisconsin: The Wisconsin law provides that the State shall reimburse the counties for one-third of the amounts spent in pensions. For each of the years from 1925 to 1928 the legislature appropriated the sum of \$200,000 to meet the State's share of the expense, and during this period the appropriation was more than sufficient, as the amounts actually needed for the purpose ranged from only \$60 in 1925 to \$22,642 in 1926. In 1929 the appropriation was cut to \$35,000, but this was still sufficient to pay one-third of the cost, as was also the \$55,000 appropriated in 1930. For each of the years from 1930 to 1934, \$75,000 was set aside by the State, but in each successive year the amount has fallen further below the one-third supposedly borne by the State. In 1931 only 26.42 percent of the funds came from the State, in 1932, 20.44 percent, in 1933, 18.95 percent, and in 1934, 16.3 percent.

RELATIVE ADEQUACY OF STATE PENSION SYSTEMS

A pension system can be said to be adequate when (1) it covers the whole population for which it was designed, (2) it pays benefits sufficient to maintain the beneficiaries in modest comfort, and (3) it extends such benefits to all of the qualified needy aged in its jurisdiction who do not require institutional care.

In order to test the adequacy of the State systems which were in effect in 1934, table 9 brings together the data on the above three points. The figures as to the proportion of persons of pensionable age who were receiving pensions at the end of 1934 are by no means conclusive nor comparable State by State, for the extent of dependency may and does vary from State to State, but they are given as a possible indication of the relative extent to which the problem of old-age care is being met.

Judged by the three criteria enumerated above, it would seem that the best systems in operation in 1934 were those of Arizona, Massachusetts, and New York. California and Pennsylvania ranked high as regards coverage and average pensions; the proportion of pensionable population being cared for, however, was relatively low.

At the other end of the scale were the systems of Idaho, Minnesota, Nebraska, Nevada, Utah, and Washington.

TABLE 9.—Coverage, benefits, and proportion of persons of pensionable age aided in 1934

State	Coverage: Percent of State population in counties with systems	Average monthly pension	Percent pensioners formed of population of pensionable age ¹	Applications pending at end of year
Arizona	91.8	\$19.57	21.7	(²)
California	100.0	20.21	9.3	851
Colorado	100.0	9.74	17.8	(²)
Delaware	100.0	9.91	9.5	1,775
Idaho	78.0	6.74	9.8	43
Indiana	96.6	4.50	17.5	(²)
Iowa	100.0	13.25	6.2	(²)
Maryland	54.2	22.64	1.5	2,900
Massachusetts	100.0	26.08	13.7	1,216
Michigan	86.9	9.99	2.8	(²)
Minnesota	71.0	10.97	6.6	(²)
Montana	71.4	5.32	27.1	(²)
Nebraska	23.5	1.22	4.6	(²)
Nevada	5.1	18.48	2.8	(²)
New Hampshire	100.0	17.51	5.8	(²)
New Jersey	98.2	14.87	10.3	2,551
New York	100.0	20.65	13.9	5,438
North Dakota	100.0	.69	17.4	(²)
Ohio	100.0	6.54	8.8	54,003
Oregon	97.6	8.16	17.1	(²)
Pennsylvania	100.0	21.18	6.3	(²)
Utah	69.4	7.98	5.7	(²)
Washington	23.1	5.43	6.8	(²)
Wisconsin	37.3	19.95	5.1	(²)
Wyoming	81.2	9.59	10.2	(²)
Total	89.9	14.68	9.7	
Alaska	100.0	25.00		(²)
Hawaii	84.8	7.06		(²)

¹ Based only upon reporting counties in which act was in operation.

² No data.

³ Mar. 31, 1935.

⁴ Computed on basis of estimated population 68 years of age and over.

When funds are insufficient to meet adequately the problem of old-age care the pension authorities have a choice of several procedures: (1) They may elect to divide the money on hand among the pensioners already on the roll, either refusing to accept new applications, refusing the pension after receiving application, or placing the applications on the waiting list; (2) they may continue to grant new allowances, reducing the average grant proportionately; or (3) they may make new grants only in the most needy cases.

No data are available as to the extent to which officials refused to receive applications. Waiting lists and cases pending at the end of the year for the few States for which information is at hand are shown in the last column of table 9. These figures are

¹⁰ Data are from testimony of M. L. Brown before the House Committee on Ways and Means, Jan. 31, 1935.

admittedly unsatisfactory, for the number of cases pending may be kept down by a policy of refusal by the pension authorities to receive new applications if funds are inadequate.

For California, where new applications averaged about 685 per month during 1934, the monthly reports show that the number of cases pending at the end of the month was reduced from 1,286 in January to 513 by October, but rose again to 851 at the end of December. Restorations of former pensioners to the roll numbered 523. Rejections numbered only 223, as compared with 8,217 applications granted (including restorations).

In Delaware the pension roll was smaller by 3 than in 1933, although 1,865 applications were received. The waiting list totaled 1,775 at the end of the year, being greater than the list of pensioners (1,583). The State old-age welfare commission commented as to this, in its annual report, as follows: "It is unfortunate that State relief should be withheld from so many deserving persons, but this cannot be overcome except by increasing the annual appropriation."

RELIEF ASPECTS OF THE PENSION SYSTEM

In the beginning of the movement to provide cash allowances for dependent aged in the United States, effort was made to emphasize the idea of pensions, i. e., of benefits in recognition of past services (as a citizen). All of the older statutes provided, at least in theory, for old-age pensions. Gradually the emphasis shifted and the later acts have established systems of old-age security, assistance, aid, or even relief.

In practice, administration of the systems from the relief standpoint has been general. Several factors have brought this about. In the first place, many of the plans are carried out by the officials responsible for poor relief, and are administered in the same spirit. In the second place, emphasis on the relief aspect is inevitable as long as need (based upon a "means" test) is the determining factor in the granting or withholding of benefits; and the need test is probably a necessary corollary to any noncontributory system.

There is an especially close connection between pensions and relief under the county plans. Under such plans, when pension funds are low, the needy aged are usually transferred to the relief rolls.

The Oregon act, like many of the other acts, provides that no pensioner shall be allowed to receive any other public relief. Notwithstanding this specific provision, it was reported that in 1934 some of the counties unable to pay adequate pensions had arranged "to supplement the income of their pensioners by providing additional support from relief funds."

In some States it appears that the pensioners would have fared better on the relief than on the pension rolls. Thus, comparison of the average monthly allowances paid under the pension acts in 1934 with the average amount of relief granted in December 1934 shows that in seven States (Idaho, Indiana, Montana, Nebraska, North Dakota, Ohio, and Washington) the pension was less than the amount of relief. The amount of pensions and of relief, by States, is given in table 10.

TABLE 10.—Average allowances for pensions and for relief in 1934, by States

State	Average monthly amount paid in—	
	Relief	Pension
Arizona	\$4.57	\$19.57
California	7.94	20.21
Colorado	6.50	9.74
Delaware	6.03	9.91
Idaho	7.42	6.74
Indiana	6.76	4.50
Iowa	5.52	13.25
Maryland	7.19	22.64
Massachusetts	10.21	26.08
Michigan	7.35	9.99
Minnesota	6.77	10.97
Montana	7.62	5.32
Nebraska	6.07	1.22
Nevada	10.26	18.48
New Hampshire	9.34	17.51
New Jersey	8.32	14.87
New York	10.90	20.65
North Dakota	5.54	.69
Ohio	7.05	6.54
Oregon	6.86	8.16
Pennsylvania	8.29	21.18
Utah	6.02	7.98
Washington	5.93	5.43
Wisconsin	7.78	19.95
Wyoming	6.25	9.59

DEVELOPMENT OF THE OLD-AGE-PENSION MOVEMENT SINCE 1923

More headway was made by the old-age-pension movement in 1934 than in any preceding year. That year showed an increase of 163 percent in paying counties, of 104 percent in number of pensioners, and of 23 percent in amount disbursed.

The status of the movement at the end of each year since 1923 is shown in table 11.

¹ University of Oregon, the Commonwealth Review (Eugene, Oreg.), January 1935, p. 211.

TABLE 11.—Development of old-age-pension movement since 1923

Year	Number of laws on books	Counties with pension system		Number of pensioners	Amount disbursed in pensions
		Number ¹	Percent of total counties in States with law		
1923	2	33	55	518	\$49,595
1924	2	41	68	723	107,648
1925	4	44	74	1,817	145,577
1926	5	48	87	1,165	229,979
1927	7	50	88	1,255	231,468
1928	7	56	16	1,519	298,254
1929	13	141	30	10,648	1,800,458
1930	18	271	39	76,663	16,258,707
1931	18	297	42	102,896	25,116,939
1932	29	350	45	115,547	26,167,017
1933	30	924	64	236,205	32,313,515

¹ Each of the 4 judicial districts of Alaska is considered as a county.

² Figures are for 3 jurisdictions (Alaska, Montana, and Wisconsin) only; each of the 4 judicial districts of Alaska is considered as a county.

Table 12 shows the situation in individual States during the period of their experience.

TABLE 12.—Development of pension system in specified States since passage of law

State and year of first workable act	Year	Number of counties		Number of pensioners at end of year	Amount spent	Average annual amount spent per pensioner	Coverage of system (percent) ¹
		Total	Adopting				
Alaska (1915)	1915	24	24	42	\$2,367	\$56.35	60.6
	1916	24	24	64	8,250	128.91	60.6
	1917	24	24	122	16,172	132.56	60.6
	1918	24	24	152	21,787	143.33	60.6
	1919	24	24	148	20,241	136.76	60.6
	1920	24	24	119	13,738	115.45	51.7
	1921	24	24	119	14,776	124.17	51.7
	1922	24	24	131	19,395	148.10	51.7
	1923	24	24	169	26,725	158.14	51.7
	1924	24	24	202	29,490	145.99	51.7
	1925	24	24	226	45,028	199.72	51.7
	1926	24	24	229	57,190	250.61	51.7
	1927	24	24	267	66,430	248.80	51.7
	1928	24	24	298	75,695	254.01	51.7
	1929	24	24	327	82,650	252.75	51.7
	1930	24	24	340	96,070	283.15	49.4
	1931	24	24	314	85,500	272.29	49.4
	1932	24	24	339	89,490	264.28	49.4
	1933	24	24	383	95,705	249.88	49.4
	1934	24	24	454	108,485	300.00	100.0
Arizona (1933)	1933	14	12	1,624	170,512	108.12	91.7
	1934	14	12	1,820	427,527	234.90	91.8
California (1929)	1930	58	57	7,205	1,634,423	226.85	100.0
	1931	58	57	9,887	2,453,087	248.11	100.0
	1932	58	57	12,520	3,204,200	255.93	100.0
	1933	58	57	14,604	3,502,000	239.80	100.0
	1934	58	57	19,619	4,288,508	218.62	100.0
Colorado (1927)	1928	63	1	1	120	120.00	.9
	1930	63	1	1	120	120.00	3.5
	1931	63	7	50	2,190	34.76	10.1
	1932	63	4	162	15,993	98.72	5.3
	1933	63	54	8,705	172,481	103.08	88.1
	1934	63	63	10,068	1,256,190	116.88	100.0
Delaware (1931)	1931	3	3	1,497	66,568	88.94	100.0
	1932	3	3	1,565	187,316	119.69	100.0
	1933	3	3	1,586	188,740	119.00	100.0
	1934	3	3	1,583	193,231	118.92	100.0
Hawaii (1933)	1934	4	3	354	27,427	84.72	84.8
Idaho (1931)	1931	44	31	698	4,224	62.6	62.6
	1932	44	39	1,403	83,035	87.96	89.9
	1933	44	29	1,090	114,521	106.14	68.8
	1934	44	32	1,712	138,440	80.87	78.0
Indiana (1933)	1934	92	89	23,533	1,134,250	54.00	96.6
Iowa (1934)	1934	99	99	8,300	220,000	159.00	100.0
Kentucky (1926)	1928	120	3	30	8,064	240.00	1.9
	1930	120	2	18	1,164	64.68	1.0
	1931	120	1	10	1,000	96.00	.3
	1932	120					
	1933	120					
	1934	120					
Maine (1933)	1934	16					
Maryland (1927)	1928	24					
	1930	24	2	12	1,800	144.00	50.5
	1931	24	1	150	50,000	333.33	49.3
	1932	24	1	135	35,426	262.41	49.3
	1933	24	1	141	50,217	356.15	49.3
	1934	24	2	267	65,228	271.68	54.2
Massachusetts (1930)	1931	14	14	11,076	904,939	163.41	99.6
	1932	14	14	17,051	4,469,520	262.13	100.0
	1933	14	14	18,516	5,628,492	293.02	100.0
	1934	14	14	3,557	103,180	119.88	86.9
Michigan (1933)	1934	53	56	3,557	103,180	119.88	86.9

¹ I. e., percent of State population living in counties which have adopted system.

² Each judicial district considered as a county.

³ Does not include 12 counties which reported no pensions paid.

⁴ Estimated.

⁵ Computed on annual basis though payments were made during only part of year.

⁶ Year ending Apr. 30, 1934.

TABLE 12.—Development of pension system in specified States since passage of law—Continued

State and year of first workable act	Year	Number of counties		Number of pensioners at end of year	Amount spent	Average annual amount spent per pensioner	Coverage of system (percent)
		Total	Adopting				
Minnesota (1929)-----	1931	87	4	1,227	\$94,068	\$76.67	40.3
	1932	87	5	2,403	340,242	141.59	41.3
	1933	87	6	2,655	420,536	158.39	42.0
	1934	87	40	4,425	577,635	131.67	71.0
Montana (1923)-----	1923	56	29	349	22,870	65.53	54.9
	1924	56	37	521	78,158	150.02	63.5
	1925	56	39	583	100,369	172.14	62.7
	1926	56	39	584	104,863	179.56	64.8
	1927	56	42	693	115,400	166.52	78.1
	1928	56	42	884	146,510	165.73	78.4
	1929	56	44	875	146,746	167.71	79.7
	1930	56	44	889	149,100	169.08	76.6
	1931	56	43	1,130	178,934	158.35	78.1
	1932	56	44	1,254	183,303	146.17	81.1
	1933	56	45	1,781	155,525	87.32	72.4
	1934	56	44	2,780	177,426	63.83	71.4
Nebraska (1933)-----	1934	93	24	926	13,577	14.66	23.5
Nevada (1925)-----	1928	17	2	11	1,680	180.00	17.3
	1930	17	2	5	900	300.00	5.1
	1931	17	2	34	7,360	216.47	10.1
	1932	17	1	15	2,600	173.33	2.9
	1933	17	2	23	3,320	153.10	7.1
	1934	17	2	7	1,552	221.77	5.1
New Hampshire (1931)-----	1931	10	5	246	3,614	110.35	66.9
	1932	10	6	455	59,907	131.66	51.2
	1933	10	8	776	122,658	158.06	87.7
	1934	10	10	1,483	311,829	210.27	100.0
New Jersey (1931)-----	1932	21	17	7,848	497,327	126.74	70.6
	1933	21	19	9,015	1,375,093	152.60	81.2
	1934	21	20	11,401	1,773,320	178.20	98.2
New York (1930)-----	1931	62	62	47,585	12,007,352	255.33	100.0
	1932	62	62	54,185	15,454,308	285.21	100.0
	1933	62	62	51,106	13,592,080	266.96	100.0
	1934	62	62	61,834	12,650,828	247.80	100.0
North Dakota (1933)-----	1934	53	53	3,914	24,259	8.28	100.0
Ohio (1933)-----	1934	88	88	36,543	1,434,416	78.48	100.0

TABLE 12.—Development of pension system in specified States since passage of law—Continued

State and year of first workable act	Year	Number of counties		Number of pensioners at end of year	Amount spent	Average annual amount spent per pensioner	Coverage of system (percent)
		Total	Adopting				
Oregon (1933)-----	1934	36	35	6,525	\$639,296	\$97.98	97.6
Pennsylvania (1933)-----	1934	67	67	18,261	\$86,717	\$254.16	100.0
Utah (1929)-----	1930	29	13	1,107	95,780	84.44	73.6
	1931	29	12	873	92,305	109.76	62.1
	1932	29	13	1,096	99,596	54.37	74.6
	1933	29	9	930	95,599	102.75	65.0
	1934	29	8	902	86,416	95.80	69.4
Washington (1933)-----	1934	39	12	1,588	103,408	65.12	23.1
West Virginia (1931)-----	1932	55	1				
	1933	55	1				
	1934	55					
Wisconsin (1925)-----	1925	71	1	8	180	22.50	1.3
	1926	71	5	352	67,927	192.97	8.0
	1927	71	4	295	49,639	168.26	5.6
	1928	71	4	290	52,440	230.40	5.6
	1929	71	8	990	156,525	158.28	35.7
	1931	71	9	1,597	283,848	236.04	37.3
	1932	71	9	1,938	336,997	189.56	37.3
	1933	71	8	1,971	395,807	200.97	37.3
	1934	71	8	2,127	459,146	239.30	37.3
Wyoming (1929)-----	1930	23	7	82	12,679	158.52	35.0
	1931	23	15	289	16,805	69.16	78.0
	1932	23	16	505	67,927	132.53	80.7
	1933	23	17	643	83,231	129.44	83.2
	1934	23	17	719	82,732	115.07	81.2

* Computed on annual basis though payments were made during only part of year.

SOCIAL SECURITY—PUBLIC OLD-AGE PENSION LEGISLATION IN THE UNITED STATES AS OF AUGUST 1, 1935

To provide a ready comparison of the systems adopted in the several States the following table, which presents the principal features of each law, has been prepared:

Provisions of old-age-pension laws in the United States

State	Type of law	Age	Maximum pension	Required period of—			Maximum property limitations	Administered by—	Funds provided by—	Citation
				Citizen-ship	Residence					
					State	County				
Alaska	Mandatory.	65	\$35 a month, males; \$45 a month, females.	Years (2)	Years 25	Years	No other sufficient means of support.	Board of trustees of Alaska Pioneers' Home.	Territory	Comp. Laws 1933 (as amended 1935, ch. 47).
Arizona	do	70	\$30 a month	(2)	35		Income, \$300 a year	County commissioners.	67 percent by State; 33 percent by county.	Acts of 1933, ch. 34.
Arkansas	do	70	do		5		Assets, \$300 ¹	State department of public welfare and county public welfare board.	State and county	Acts of 1935, act no 322.
California	do	65	\$35 a month	(2)	(2)	1	Real property, \$3,000; personal property, \$500.	County or city and county boards of supervisors.	Half by county, or city and county; half by State.	Acts of 1929, ch. 530 (as amended 1931, ch. 608; 1933, ch. 840; 1935, ch. 633).
Colorado	do	65	do	15	15	1	Assets, \$2,500 ¹	County commissioners.	State	Acts of 1933, chs. 144 and 145 (as amended 1935, ch. —).
Connecticut	do	65	\$7 per week	(2)	5			Bureau of old-age assistance.	do ¹	Acts of 1935, ch. —.
Delaware	do	65	\$25 a month	15	5			State old-age welfare commission.	do	Acts of 1931, ch. 85.
Florida ²	Optional	65	\$35 a month ³	(2)	10	1	Income, \$400 a year	State board of pensions.	do ¹⁰	Acts of 1935, ch. —.
Hawaii	do	65	\$15 a month	30	15		Income, \$300 a year	County commissioners.	County or city and county.	Acts of 1933, act 208 (as amended 1933 spec. sess., act 39).
Idaho	Mandatory.	65	\$25 a month	15	10	3	do	County probate judge and county commissioners.	County	Code 1932, secs. 30-3101 to 30-3125.
Illinois	do	65	\$1 a day	(2)	10	1	Assets, \$5,000	State department of public welfare and county old-age security board.	State	Acts of 1935, p. —.
Indiana	do	70	\$180 a year	15	15	15	Assets, \$1,000	County commissioners.	Half by State; half by county.	Acts of 1933, ch. 36.
Iowa	do	65	\$25 a month	(2)	5		Assets, \$2,000 (\$3,000 if married); income, \$300 a year.	County boards under State commission.	State	Spec. sess., 1934; ch. 19 (as amended 1935, ch. —).
Kentucky	Optional	70	\$250 a year	15	10	10	Income, \$400 a year; assets, \$2,500.	County judge	County	Acts of 1926, ch. 187.
Maine	Mandatory.	65	\$1 a day	(2)	15	1	Assets, \$300	Town and city boards under supervision of State department of health and welfare.	Half by State; half by cities, towns and plantations.	Acts of 1933, ch. 267.
Maryland	do	65	do	15	5			Department of old-age pensions and relief and county welfare boards.	Two-thirds by State; one-third by county.	Acts of 1935, ch. 592.

[See footnotes at end of table]

Provisions of old-age pension laws in the United States—Continued

State	Type of law	Age	Maximum pension	Required period of—			Maximum property limitations	Administered by—	Funds provided by—	Citation
				Citizen-ship	Residence					
					State	County				
Massachu- setts.	Mandato- ry	70	No limit.....	Years (2)	Years 20			County or city board of public welfare.	Two-thirds by county or city; one-third by State.	Acts of 1930, ch. 402 (as amended 1933, chs. 219, 285, 328).
Michigan	do	70	\$30 a month	(2)	10		Assets, \$3,500	County boards and State welfare depart- ment.	State	Acts of 1935, no. 159.
Minnesota	do	65	do	(14)	15	1	Assets, \$5,000	County commission- ers under supervi- sion of State board of control.	Half by State; half by county.	Supp. 1934 to Mason's Stats. 1927, ch. 15 (as amended 1935, ch. 357).
Missouri	do	70	\$30 a month (couple, \$45 a month).	(2)	15		Assets, \$1,500 (couple, \$2,000.)	State board of manag- ers of eleemosyna- ry institutions and county old-age-as- sistance boards.	State	Acts of 1935, ch. —.
Montana	do	65	No limit	(2)	15	1		County old-age-pen- sion commission un- der State old-age- pension commission.	County; State to re- imburse not to ex- ceed 75 percent.	Acts of 1935, ch. 170.
Nebraska	do	65	\$30 a month (couple, \$50 a month).	(2)	15		Assets, \$3,000. In- come, \$250 a year (couple, \$500 a year).	County pension boards under State old-age-pension-com- missioner.	State	Acts of 1935, ch. —.
Nevada	Optional	65	\$1 a day	15	10		Assets, \$3,000	County commission- ers.	County	Acts of 1925, ch. 121.
New Hamp- shire.	Mandato- ry.	70	\$7.50 a week	15	15	15	Assets, \$2,000	do	Payments by county; cities and towns to reimburse county.	Acts of 1931, ch. 165.
New Jersey	do	70	\$1 a day	(2)	15	1	Assets, \$3,000	County welfare boards.	One-fourth by county, three-fourths by State.	Acts of 1931, ch. 219 (as amended 1932, ch. 262).
New York	do	70	No limit	(2)	10	1	Wholly unable to sup- port self.	Public welfare officials, under supervision of State department of social welfare.	Half by city or county, half by State.	Acts of 1930, ch. 387.
North Da- kota.	do	68	\$150 a year	(2)	20		Income, \$150 a year	County commission- ers.	State	Acts of 1933, ch. 254.
Ohio	do	65	\$25 a month	15	15	1	Assets, \$3,000 (\$4,000 if married); income, \$300 a year.	County boards under supervision of State division of aid for aged.	do	Adopted 1933 by refer- endum vote.
Oregon ¹⁶	do	70	\$30 a month	(2)	15	1		County relief com- mittee under State relief committee.	Half by Federal Government, one- fourth by State, one- fourth by county.	Acts of 1935, ch. 407.
Pennsyl- vania.	do	70	do	15	15			Local boards under State department of welfare.	State	Act no. 64 (spec. sess., 1933).
Rhode Is- land.	do	65	do	(17)	15	(18)	Assets, \$5,000	Local directors of pub- lic aid under State department of pub- lic welfare.	do	Acts of 1935, ch. —.
Utah	do	65	\$25 a month	15	15	5	Income during past year \$300.	County commission- ers.	County	Acts of 1929, ch. 76.
Vermont	do	65	\$30 a month (couple, \$45 a month).	(2)	15		Income, \$360 a year (if married, \$500); as- sets \$2,500 (if mar- ried \$4,000). ¹⁹	Old age-assistance com- mission; local offi- cials.	State	Acts of 1935, ch. —.
Washing- ton.	do	65	\$30 a month	(2)	15			Department of public welfare.	do	Acts of 1935, ch. 182.
West Vir- ginia.	Optional	65	\$1 a day	15	10	10	Any property or in- come.	County court	County	Acts of 1931, ch. 32.
Wisconsin	Mandato- ry.	70	do	15	15	15	Assets, \$3,000	County judge	Payments by county. State to refund one- third; city, town, and village to refund two-thirds.	Acts of 1925, ch. 121 (as amended 1929, ch. 181; 1931, ch. 239; 1933, ch. 375).
Wyoming	do	65	\$30 a month	(2)	15		Income, \$360 a year	County board of pub- lic welfare under de- partment of public welfare.	County; State to re- fund 50 percent.	Acts of 1935, ch. 101.

¹⁶ With adoption of Federal act State residence 5 years within 9 immediately preceding.

¹⁷ Males.

¹⁸ Females.

¹⁹ Citizenship required but no period specified.

²⁰ Until 1940; 65 thereafter.

²¹ Home up to \$2,500 excluded.

²² Annual State tax of \$2,100,000 imposed on the several towns of the State.

²³ Required period of residence in United States.

²⁴ Must be approved by referendum of the people.

²⁵ \$60 where more than one member of family living together come under the provision of the act.

²⁶ Counties are authorized to raise contributory funds.

²⁷ Within 15 years immediately preceding.

²⁸ Also domicile for 9 years immediately preceding.

²⁹ Within 10 years immediately preceding.

³⁰ Citizen of United States or resident of State for over 25 years.

³¹ Within 9 years immediately preceding.

³² Act becomes operative on passage of Federal legislation making funds for old-age assistance available to State; for earlier law, see Monthly Labor Review, June 1934, p. 1341.

³³ Citizenship required, or residence in United States for 20 years.

³⁴ Residence required but no period specified.

³⁵ \$1,000 in value of home excluded.

LETTER FROM SENATOR SCHALL TO J. FRANK FRASER, MINNEAPOLIS, MINN.

Mr. SCHALL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter addressed by me to J. Frank Fraser, Minneapolis, Minn.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 26, 1935.

Mr. J. FRANK FRASER,
1114 Flour Exchange, Minneapolis, Minn.

DEAR NEIGHBOR FRASER: Your country's enemies and mine will call this letter a vituperative song of hate. It is the truth, as God gives me the light to see it from behind the administration censorship curtain in which I hope to tear at least a peephole.

If I am not to betray my oath of office, the cause of the bewilderment, suffocation, and helplessness of a people who have been crushed and stifled by the results of this overburdened, overbearing, un-American bureaucracy must be voiced.

The Constitution is the greatest of human documents. It establishes government on the basis of laws—laws made by the elected representatives of the people and representing their will to the end that we may have government by and for the people, without any figurehead impostor laying claim to ruling power either by the pretense of divine right or by the highwayman's method of armed might, or by the present mercantile method of purchase, subsidy, and planned emergency.

The third session of this "double deal" Congress has expired. A docile Membership has completed the "must bills", and the Commander in Chief of the Army and Navy permits the Members to go home, hoping that under the strict censorship of his majesty on news out of Washington the people will not know of the betrayal of the Constitution.

But if any should inquire it can be explained only that might makes right in following the example of the humble and prostrate legislative bodies of Italy, Germany, and Russia; that the royal command of "must", now prevailing here as in Rome, Berlin, and Moscow, could not be resisted. The "new dealers" just won't allow their leader to be criticized. "The king can do no wrong", and he ordered thus, and was obeyed, "I hope your committee will not permit doubt as to constitutionality, however reasonable, to block the suggested legislation." They must tell you that the king took away the drafting of bills, the due and intelligent consideration of bills, the duty of rejecting unconstitutional bills; in short, all of our sworn legislative duties under our pledges to you and mandates from you, and under our oaths to support and uphold the Constitution. In 1935 Congress added insult to the injuries dealt you in 1933 and 1934.

A review of its enactments I know is lese majeste, as my every action during these last three sessions has been an unpardonable crime to the crown.

The order has gone forth to get my head, and his agents, singling out Minnesota as one of the "must win" States, have sent hundreds of millions of dollars into Minnesota for that express purpose. When he and "his lords, high captains, and chief estates" are met at the feasting table in celebration of their expected victory in November 1936, he will ask my head be presented to him on a political charger, for I have truly been the voice of one crying in the wilderness "make straight the way of the Constitution."

I stood alone and insisted that our Constitution is built upon the teachings of Christ. The spirit of truth that Christ taught is embodied in that Constitution, and when it is changed it should be changed according to the method prescribed by that Constitution and by the will of the people, our sovereign power, not by the will of some usurping Caesar building his throne upon the shattered ruins of our Republic.

On August 24 we passed the Revenue Act of 1935; in other words, the soak-recovery, soak-the-producer, soak-the-consumer, soak-the-wage earner, soak-prosperity act, to crack you down to the point of a Moscow socialist regime, when a Rothschild-Wall Street conspiracy may buy you in cheap.

It will block your recovery until the emperorship has been thoroughly riveted upon you or until a responsible oath-keeping administration is seated here which has some concern for your life, liberty, property, and pursuits of industry. It was not passed for the constitutional purpose of revenue, because it cuts down and blocks the expansion of the economic forces and income that yield the revenue supporting Government and the wages and employment supporting labor. And it increases the living costs of every home and the production costs of every farm and other industry.

Because the present issue of Government bonds are not selling so readily, for the money is being driven out of the country, it was passed only as a blackjack to drive the wealth into taxation-exempt Government bonds, so that Franklin the First will have less difficulty in securing money to carry on the bribery campaign for his reelection in '36 and meanwhile further the Machiavellian plan of riot, strike, and revolution that is necessary to mature before the above-board bold strike of the superman of the hour, who, in his great love for his country will have the courage to declare for absolutism and thereby save the Nation from utter chaos by taking over the country for peace sake, for starving humanity, women and little children's sake with the Esau steel hand of the Commander in Chief of the Army and Navy.

On August 24 we passed the Public Utility Act of 1935, better known as the "electrocution act", which soaks every third family in the United States that has a small saving investment in utility shares, several million wage earners, the trust funds of widows and

orphans, and schools and charity institutions—and gives a Tammany-Wall Street combine in Washington the power over utilities now exercised by the respective States, and further culminates the planned chaos.

On August 23 we passed the little N. R. A., which adds \$1 to \$5 per ton to the cost of every ton of monopoly produced coal shipped from eastern coal mines to Minnesota and the Northwest—an unconstitutional monopoly tax on every home and farm in Minnesota that is able still to buy coal, on every store and factory, on the cost of gas and electric power generated by coal, on every railroad and utility using coal, on every economic activity and institution in Minnesota to benefit one of the greatest monopolies in the country and increase its unearned increment, in order that a Tammanyized autocracy, under the usual pretext of benefiting labor may rob the "forgotten" consumer and by subsidy purchase the support of the Coal Trust.

It strikes at every Minnesota industry and home, at all of its thousands of manufacturing establishments in order that a billion-dollar Coal Trust in the Pennsylvania district, a dog in the manger seated on a coal deposit which God Almighty made for all to use, may add its economic and political mercenaries to a Tammany-Wall Street autocracy entrenched in Washington.

Fortunately this bill goes into the game bag the first time the nine Justices of the Supreme Court get a shot at it. Let us hope that it gets before the Court before zero weather.

On August 15 we passed the A. A. A. Amendment Act, which seeks to make permanent the temporary processing tax, unconstitutionally levied by an executive bureau by usurpation of the tax power which belongs exclusively to Congress. This act likewise seeks to evade our fundamental law and throw out of court any citizen who has demanded his just rights from a Government that has taken from him money under false pretenses.

I voted for the original A. A. A. as a temporary expedient for the supposed benefit of the farmer. I voted against this A. A. A. Amendment Act which seeks to make permanent a system of processing taxes which destroys the industries that constitute the home market of the farm and rob the consumer and wage earner \$2 for every \$1 of corn-hog and other Federal checks paid to the man who will neglect his farm and grow weeds and in the end strike down the chief industrial mainstay of Minnesota and the Middle West, a tax that has brought upon our farms and factories, through increased production cost, the greatest inundation of foreign imports known to American history.

I voted against processing taxes now amounting in all to \$1,000,000,000, unconstitutionally levied and collected, that through the commercial pyramiding process has added \$2,000,000,000 to the living costs of our homes and wage earners and made our farms and factories the victims of a foreign flood of imports that have taken two billion more from the mouths of the hungry and unemployed, from the meager family incomes, from the wage earners who are fortunate enough to have jobs, under this despoliation administration, and from every business house that pays taxes and employs labor—a tax that has brought to our shores within the past few months millions of pounds of butter and made our tariff on dairy products a nullity—a tax that has destroyed the export business of our flour mills and transferred as a gift to Canada the world milling championship, so long established at Minneapolis, the leading wheat market of the world—an unconstitutional tax that has crippled every farm home-market industry in Minnesota—cut down the expansion of 4,000 mills and factories that 10 years ago paid out \$100,000,000 in wages while buying \$400,000,000 worth of farm products—a tax that has brought loss to every town and city in Minnesota, and to all who raise crops in preference to becoming subject serfs of a paternalistic feudal system patterned on the Russian system where farmers are robbed and their wives are hitched to plows and their daughters dig in ditches 7 days a week, now that religion and morals have been made a crime and 10,000,000 in 1933 were allowed by their government to starve to death and the news of this hideous tragedy kept from the world through strict censorship.

We passed on August 12 the second deficiency bill of 1935—the First Deficiency Act of 1935 having been passed March 21—just before the \$5,000,000,000 Executive Allocation Act of April 8, for relief of the President's 1936 emergency campaign.

We passed 13 appropriation or allocation bills or deficiency acts to swell the \$3,500,000,000 Treasury deficit of the fiscal year 1935, and bring up to mountainous height the \$12,000,000,000 of accrued deficits since March 4, 1933.

When the young men and women of Minnesota get a chance to see the Treasury statement of August 23, 1935, they will realize what they and their children are "let in for" during the generations to come—\$18,279,009,676.11 of emergency expended by a Tammany "brain trust" machine to make safer for a "new-deal" pork-and-pie Democracy their election to 4 years more of autocracy.

If our high-school boys and girls shall investigate the field of funded public debt, they will find that the total will approximate by June 30, 1936, according to Senator GLASS, Chairman of the Appropriations Committee, a mountain of \$50,000,000,000—or \$24,000,000,000 higher than our total World War cost. If they will study their history they will see that this administration will have spent in 3 years and 10 months \$16,000,000,000 more than the entire 35 administrations up to and including the first Wilson administration which included the costs of five wars during that 125 years.

The bond-coupon-clipping industry, the only American industry running at 100-percent capacity during new-deal times, is tax-exempt through the subrosa expressed will of the President, and the young people of this generation will be carrying as a millstone

around their necks an interest burden that has mortgaged their children's children.

But the greatest peril of all is to our liberty—the rights and immunities guaranteed to us under our Constitution, the right to a day in court for redress of grievances, the right to run our own farms and factories, the right of our State to the republican form of government guaranteed by the Constitution, and the powerlessness of the people to a voice in tax making, in tariff making, or any other fundamental legislative power of their elected representatives in Congress.

Still I have faith to believe that the tide of American freedom has turned. That the people are beginning to understand what is being done to them. That shift of vote in Rhode Island the other day, if made Nation-wide, would do the "business." And we have a year in which to make that American recovery movement Nation-wide. For our altars and our fires, for our freedom and our hard-won bread, the fight is on and it will require the help and effort of every boy and girl, woman and man in the United States who understands that it is their individual right, their personal freedom, their chance of advancement through merit, their chance to grow an understanding that is being struck at.

As your sentinel on the ramparts of the citadel of our liberties, I have at least tried to emulate the geese whose cackling saved the Roman Republic from stealthy night attack and overthrow. This is no time for soft words. If this administration is reelected, your Republic is a thing of the past.

The enemy's leader with cunning connivings, simulating a smile of love and brotherhood, bearing gifts of promises he had no intention of keeping, smoothed the path by such false pretenses upon the Jeffersonian Democratic platform for which he pledged himself a hundred percent, to haul his horse of Troy within your constitutional fortifications and already his horde of Communists are pouring out with drawn swords to put to immediate death any who dare protest his usurpation of your Government. So efficient has he been in the breaking of his official oath and the betrayal of your Constitution, that he has recently been endorsed for reelection to the Presidency of the United States by the International Organization of Communists. This supreme body of the Communist organization, through the identity of its directed personnel with the administrative organization of the U. S. S. R., is the Russian Government.

The Russian dictator, Stalin, and all his chiefs were there together with representatives from the United States and they passed, not only an endorsement of Comrade Roosevelt for President of the United States but a resolution to bore from within the United States Government through laws that would sabotage its citizens income and thus through want, misery, strife, and turmoil break down the natural resistance of its citizens when by force the final overthrow of the United States can be, in their opinion, easily accomplished. This endorsement will remind you that Roosevelt's picture was published in all Russian newspapers during the election and contained the statement that he would be elected and that he would be the first communistic President of the United States. To camouflage this endorsement to the American people he causes to be widely published in this country, a note of protest to Russia which he knows well the people there never will be able to read since their press is controlled by Stalin who will understand the comrade method of say one thing and do another. Since there is no public opinion in Russia and since these state notes of protest are normally transmitted without newspaper display it becomes self-evident that the note is for consumption of the people of the United States and none other. If you need further proof of the red network, look at the complete red circle of red communistic advisers with which he has surrounded himself, headed by "Comrade" Tugwell, as he is known in Russia, and Professor "Karl Marx" Felix Frankfurter, who lives at the White House and writes every important speech and message delivered by Roosevelt, and is his close confidant and adviser.

And if you need still further proof as to this administration's intent, I cite you six great holding companies he has caused to be organized in the State of Delaware whose articles of incorporation I caused on February 6, 1935, with much difficulty to me because of the administration's opposition to publicity, to be placed in the CONGRESSIONAL RECORD. These corporations are set to take over every industry in the United States; they are organized with the people's money, they are perpetual in existence and they were marked "Secret. Do not publish." Up to the time that I exposed them in the CONGRESSIONAL RECORD no one outside the immediate administration knew of them and since that time it has been impossible to get any information as to why they were organized and today the ordinary citizen of the United States, I'll warrant, has never heard of them and doesn't know what their import is to this republican form of Government. But to any sane man, reading the articles of incorporation it is clear that through these corporations the administration intends to make of the United States of America a United States of Russia. They are set there like a trap in the dark to grab their prey when the time has been brought about.

These six corporations can take over and control, make and dispose of every avenue of business in this country from the button on your cap to the sole of your shoe, including electric power, which the administration bill just passed seeks to control.

The divine Lenin said that socialism plus control of electric power equals communism. Our President says that he has a mandate of the people. The platform he was elected upon he has ignored entirely and carried out the communistic, socialistic platform for which about 2 percent of the people voted. He is carrying out the mandate, not of a majority of the people but of 2

percent which is the communistic, socialistic, fascistic element of the country and heartily deserved the full-hearted endorsement of the Third Internationale but not the endorsement of the people of the United States whose sovereign power he has stolen, and if they do not wake up to it before the election of 1936 he will have them bound hand and foot and gagged to do with as he, in his great wisdom, chooses.

With infinite cunning of our conniving President, backed by an international group of schemers the stage is set to tear down our Constitution because it stands in the way of world revolution which is designed to center all might, majesty, dominion and power in the hands of a selfish few international dictators.

If Congress can be seduced to nullify the Constitution and its checks and balances then Congress itself can be nullified by this indirect method of a certificate of incorporation in any one of the States. The way has been prepared for the United States, Inc., and the immediate disappearance of all private rights.

This supine Congress has given away everything in God's country but its ability to appropriate funds. Only the intervention of the Supreme Court has saved us. When these corporations are thrown into full speed ahead there will be no need of appropriation of funds from Congress and therefore no need of Congress and the circumvention of the Supreme Court will be attained.

We must fight the evil-minded men who talk representative government but undermine it in Congress, in the States, in the schools, and in the churches. The grand plan of our founders was based on a new declaration in the history of the world—that the citizen is the sovereign and government his servant. For that new vision men have died by hundreds of thousands, and more must die in the near future unless we are content to have alien ideas and doctrines accepted as a greater revelation than that vouchsafed to Washington, Jefferson, Madison, Jackson, and Lincoln.

These corporations show the way to centralize all property in the hands of a few and beyond Federal constitutional control. Through them the Nation can easily be put on its way to Moscow through Delaware. Are we ready for that trip? Do we understand what is being done to us? Do we understand we are "On the Way", as the President's book tells us, and his communistic spokesmen assert the revolution has already been consummated and henceforth we are a government of men—and such men!

The \$5,000,000,000 allocation to the President without strings was so arranged that the President might underhandedly develop these fascistic or communistic corporations, and yet our smiling President, you will remember, said that he didn't even read the bill.

If that is true then there is a most sinister, most cunning, most conniving brain back of him and of whom he must be the tool, for it is strange that all of these things could happen so in sequence and in perfect order, with such definite and purposeful ends without a satanic master brain and hand behind him.

No wonder Senator COUZENS said whoever wrote that resolution should be hanged. But whoever is planning the actions of this administration, whoever is condoning them, it is a stealthy, cunning circumvention of the Constitution and its culmination a treasonous plot which has tied hand and foot and gagged a docile, trusting, obedient, law-abiding, bewildered people, preparing them for absolutism, and the signal for that change will come with the reelection of this administration in 1936. Do you want it? If you don't, you have got to get out and be heard from, and your friends have got to be heard from, and you can't stand by shivering with fear on account of the administration's punishing policy through property interest for yourself and your families' welfare, waiting for someone else to make the fight. It has to be made by yourself, and now. The time is short. Wake up and act. I am doing my part as best I can in calling to your attention the advancing of the well-organized and disciplined forces, and we will be at their mercy if we do not organize our defenses and speak the truth everywhere with God's help to all who may come within the sound of our voices or the reach of our pens. If I can help you with information, write me. I have made scores and scores of speeches; some of them I have in pamphlet form. I'll be glad to send them, and you'll get them if the Farley gang of mail diverters do not find and burn them.

It will be of interest to Minnesota to know that the Farmer-Labor platform last election contained some of the very clauses of these articles of incorporation and that its intent and purport carried the same objective, to wit: "Immediate steps must be taken to abolish capitalism. All the natural resources, machinery of production, transportation, and communication shall be owned by the Government. We demand public ownership of all mines, water power, transportation, and communication, banks, power plants, factories, and all public utilities."

It will further be of interest to you to recall that our Governor Olson said at the convention that adopted that platform that he was not a liberal, but that he was what he wanted to be—a radical—and that he further said that within 6 months the National Government would be taking over all industries of the Nation. Such "divinity doth hedge the word of a king", that no doubt Floyd felt that this statement was truly a revelation. He was in the inner circle of this communistic administration and knew of the existence and purpose of these Delaware corporations.

Comrade Olson is not a recent convert to the cause of communism. He has been a member of the International Workers of the World since a young man. In 1924 he had the well-known Communist William Dunn as his floor manager at the Farmer-Labor convention in St. Cloud, where Mr. Dunn also spoke in his behalf, and he also had Norman Gallentine, a paid organizer of

the Communist Party, as one of his lieutenants lining up delegates, and in the 1934 convention was full and overflowing with his communistic pals and his communistic racketeer appointees.

The congressional House committee investigating foreign propaganda reported that they found 24,400 paid Communist agitators in this country, and their sympathizers number hundreds of thousands. A goodly number of these have rallied to the standard of our Minnesota Governor and are sojourning there today. This congressional committee also found that the charges made by Maj. Gen. Smedley Butler, that a New York international group had proposed he lead a "putsch" to establish a Fascist dictatorship in this country were true.

Roosevelt no doubt expected that his well planned war on recovery would have produced starvation, strikes, riots, revolution in October last in compliance with Floyd's prediction, but the resistance and savings of the American people were greater than calculated. He has not now time before election to mature that desired revolutionary condition and must win another election in 1936 to realize his grandiose ideas of building his empire upon the shattered Constitution.

You will remember that the administration appointed Comrade Olson, the "code fish", as he himself put it, of the N. R. A. for Minnesota, and Olson strenuously tried to persuade the legislature to pass a similar poll-parrot Minnesota racketeers' association, and you will remember that when Roosevelt was in Minnesota he lovingly put his arm around Floyd and invited him to come to Washington and help him run the new deal, and you will remember that he was foremost among those men who used the words "guerilla", "buzzard", and "traitor" of the men who dared protest the Federal usurpation of our Constitution. He has that same yen for power that Roosevelt has. They are as alike as two peas in a pod. Their personal wills are always being substituted for the law of the land. They are both calculating and relentless. Inherently they are both natural, ruthless tyrants who use the English language not to express their thoughts but to conceal them. Their every act and speech are but "springes to catch woodcocks." Both are clever public speakers and can make the uninformed believe the worst to be the better reason. Neither one of them gives a rap for any promise made, any platform avowed, the right of petition, the right of free assembly, the right of freedom of the press, or the Bill of Rights—guaranteed by Minnesota's constitution as well as the Federal Constitution, or the oath they took to defend them. After them the deluge. Such men are the rare tools being constantly sought by international schemers to steal party nominations. Just as they succeeded in stealing the nomination of the Democratic Party in 1932, so they are now setting about to steal any third party that may arise to defend the interests of the people, and Olson is being carefully studied. The Republican Party is not exempt from their tremendous money influence that is constantly being brought to bear in our national conventions which meet on a strip of "no man's land" over which neither State nor Federal Government have any control, and too often become the cesspool of foreign political intrigue. The highest essential of any party candidate is his God-fearing Americanism and his known and undoubted support and maintenance of the Constitution of the United States.

You will remember when Floyd was Hennepin County attorney he put out of business two little weekly newspapers in Minneapolis who were not fawning upon him, one of them run by Howard Guilford; and in the interest of a free press the Chicago Tribune had the decision carried to the Supreme Court of the United States and knocked out. You will remember when, under the truck strike engineered from Moscow, he placed Minneapolis under martial law, emulated Roosevelt's censorship of newspapers, and placed a ban upon all newspapers of the State and threatened their extinction if they dared publish anything unfavorable to his administration. In no respect does Olson's order 12 of the martial proclamation differ from the denial of the Bill of Rights—free speech, free assembly, and freedom of the press—as declared by Hitler, Mussolini, and Stalin.

Olson's usurpation of power to help his own candidacy for reelection as Governor was against all precedents and constitutional provisions when he led 3,000 tin hats down Nicollet Avenue and at the loss of only 6 lives and 150 prisoners inflicted upon the enemy, the business men and wage earners of Minneapolis and the farmers of the State, an expense conservatively estimated at \$1,000,000 a day for 6 weeks. An administration which sets itself above the law and ignores the fundamental principle of American institutions, namely, government by law, invites to the State by this very act all groups of persons antagonistic to the law, and no one will deny that Minnesota has been the mecca of communistic pilgrimages and notorious criminals from all over the Nation and Floyd their hero. And don't forget how Editor Howard Guilford had his head blown off with a shotgun immediately after he stated over the radio that in his next speech he would expose the Olson administration. You will remember that Floyd, new-deal wise, shoved your tax rate up 300 percent; and you will remember that he, like Roosevelt, sought and seeks to get control of our public-school system and see to it that our textbooks teach the communistic, fascistic doctrine, and his man Creel, then on the Farmer-Labor Leader, formerly with Appeal to Reason, the well-known communistic, socialistic paper in Kansas, had charge of the making of the textbooks to be used through the State education system. Creel has now been replaced by the communistic, socialistic State Senator Henry Teigen, as editor of Governor Olson's Farmer-Labor Leader, which with its misinformation is being distributed throughout Minnesota by the million, paid for out of the unjust 3-percent tax levied by the Governor on all his 15,000 State employees, which brings for slush fund, campaign

purposes, bribery, hiring of Olson boosters, and general misinformation the tidy sum of about \$45,000 a month. An Olson admirer last December informed me that Olson had a fund of a half million dollars already to be used in the campaign of 1936; and over and above all this, the Washington administration designates Olson as Santa Claus for Minnesota in 1936, as he was in 1934.

You will remember how, consistent with the Roosevelt international policy, Olson advocates a low tariff and ridicules the suggestion that a tariff will help the farmer, and as Governor buys matches for the State institutions of the State of Minnesota from Russia and Japan, instead of patronizing our own industry at Cloquet, and in the next breath he argues that the processing taxes are the farmers' tariff, which with a moment's reflection by any farmer will convince him that the processing tax eliminates his tariff protection. These actions are inconsistent and in direct opposition to each other.

That Olson is in with the Federal conspiracy to destroy our Constitution there is not the slightest doubt. He openly boasts of it and proclaims that he is radical as hell, and, apparently, like his leader Roosevelt, without a qualm of conscience advocates one thing and does the other. Whatever is popular at the moment he is for by voice, and also, like Roosevelt, his actions belie his promises. He is truly a "raw dealer" and is entitled to all the support he can gather from that particular brand of double-dealing duplicity. If we are not alert, if we do not exert that constant vigilance which is the price of liberty, our home and family ties, the right to worship God as we choose, liberty of speech and press and person, religion, may be things of the past, as in Russia, where the late Commissar of Education Lunarcharsky said: "All religions are poison. They put the mind to sleep and destroy it; they kill both will power and conscience. War to the knife must be declared against all religions. Our task is the destruction of all religion and all morality."

The President told me personally that no appointments would be made in Minnesota without his—Floyd Olson's—consent, and there is today an agreement between Olson and President Roosevelt that the President will support Olson and refuse support to any Democratic opponent, therefore it is of the highest importance to the people of Minnesota not to be misled by any camouflage of this coconspirator. For Olson to attempt to mislead the people of Minnesota at this late day by pretense of criticism of the administration for not being "leftish" enough is only camouflage and hypocrisy, and his and Upton Sinclair's and other Communists', Fascists', and Socialists' advocacy of a production-for-use plank fits right in as a hand in the glove and will be the excuse that Roosevelt and Olson want for bringing into full play these Delaware corporations and will be the passing of initiative, the denial of the right to grow in mind and in soul, the passing of the teachings of Christ that the individual in order to grow in understanding must have the right to choose between good and evil. The ambition of all mankind was voiced by Solomon when he was asked what he most desired, replied, "Give me a heart of understanding that I may discern between right and wrong."

Whenever you take away the right of individualism you remove ambition. When you regiment mankind, when you standardize the efforts of labor, you destroy freedom and retard the growth of the soul. In 148 years under the Constitution we became so accustomed to the enjoyment of civil and religious liberty, to being protected in our freedom of personal and property rights, to looking upon the Government as a protective force of our inalienable rights, our God-given rights, and now suddenly to have that Government impose the dictatorial will of little prejudiced men placed in authority over us without our consent is beyond the ordinary man's conception, for liberty to us has been taken as a matter of course, like the air we breathe and the water we drink and the health we enjoy. To have a complete revolution of our Government of laws to a Government of absolutism without our consent smuggled over upon us, under the protection of censorship and false malicious and hypocritical propaganda paid for by your money, is just beyond our easy comprehension, but nevertheless that is exactly what is stealthily being done and will be successful if you and your neighbors don't wake up and prevent its consummation by your votes in 1936.

Our people, docile, confiding, liberty loving, are accustomed to people who keep their oaths and their promises. Are the 22,000,000 on the dole and the over 13,000,000 unemployed ready to sell out their country? Will you and other good citizens still hanging on to your self-respect, your character, and your morals be shaken loose by our smiling President's war on recovery, though he in his Fabian characteristic calls it a "war on depression"?

The forces of dark and light ever contend. Every move of this administration has been to tear down and destroy. The killing of six and a half million hogs and the paying of from \$5 to \$15 for a \$100 to \$150 cow, the destruction of your livestock, the plowing under of cotton and grain, and the building up of an unheard-of debt of \$56,000,000,000, in every way the new deal emulates the work of the bollweevil, the corn borer, the grasshopper, the drought. It is not recovery, but chaos this administration has sought, for only by the excuse of an emergency could he secure the dictatorial powers which he has secured from Congress—the powers that mean when the time has come through planned riot, strikes, and revolutions the excuse will be furnished for the mailed fist of the Commander in Chief of the Army and Navy to take over. Financial chaos can only result in revolution. Our only hope of avoiding it is the immediate defeat of the ambitious conspirators trying their damndest to bring it about.

You will remember Roosevelt intimated when he came to the Presidency that he would, in all probability, be the last President

of the United States. He didn't tell us that he intended to be the last President and the first emperor, but anyone behind the scenes watching his sinuous course of usurpation of power could come to no other conclusion.

The \$9,000,000,000 in gold which he has unlawfully segregated to himself and has had laws passed by a spineless Congress so that no one may inquire concerning its disposition, he now arranges to put for safe-keeping in the caves of Kentucky, where it can be protected by a few picked regiments from the wrath of the people when they come to know the truth. Half the gold of the world, he hopes, will be enough cement to seal solid his emperorship. What he promises and what he does are always in opposition. The voice of Jacob soothes with a vision of more abundant life, but the hand of Esau grasps more power and more power, and the tyranny of government of men in opposition to the constitutional government of law drills with tyrannical heartlessness into the resources of those citizens yet independent of his dole. In order to insure chaos, desperation, and sear fear into the hearts of you American citizens, the first thing this President did was to usurp the power and close 17,000 banks—all the banks in the United States—15,000 perfectly sound.

Twenty-five days after he swore to defend and maintain the Constitution he sent to Congress, and drove it through the House without allowing it even to be printed, a bill that would have put a publisher in jail for 10 years and fined him \$10,000 for daring to publish anything he didn't approve. This was the move that brought foresight to my eyes and drove from my soul the hope that this administration could mean any good, anything but sinister evil to our free speech, free press, free religion, representative government. Every subsequent move but confirmed this sense of impending danger to our Republic and determined me, despite the silence of those far wiser than I, to take the floor and do what I could, even though I must be alone.

In order to kill off resistance of the American independent business man and cow labor, he drove through Congress the so-called "National Industrial Recovery Act", the N. R. A., the National Racketeers' Association, built to give big, crooked business monopoly everything and nullify the already existing antitrust laws and vitiate his platform. This N. R. A. took from the people in higher prices, which is nothing more than a tax, over \$12,000,000,000 in the 2 years it ran, and the little business man, along with the consumers, were the goats. Figuring the farmer a quarter of the population, he received in processing taxes not to exceed 30 percent of the billion-dollar levy and paid out under the N. R. A. \$3,000,000,000.

The N. R. A. fitted well the international policy, as does the processing tax. The N. R. A. raised prices so that foreign products could be shipped into our country, and unemployment grew by leaps and bounds, so that today 9,000,000 more unemployed have been added since its inception. Barney Baruch, America's headman of the International Fabian Association, whom many believe to be the real President, and his crowd had purchased 1,800 factories, at a cost of \$9,000,000,000, in foreign countries, so Barney's old associate and partner, General Johnson, was placed in command of the N. R. A. and began, with your money and mine, the hulla-balloo of brass bands and Blue Eagle parades to crowd it down your throats, put a blue duck in every window instead of two chickens in every pot, and line the pockets of the foreign manipulators. This foreign policy was further extended by our President, who demanded of Congress, and got it, a treaty-making power whereby he could lower the tariffs to foreign countries at his own sweet will without interference of any kind, without even giving American industry a hearing. In his treaty with Belgium he lowered the tariff on 76 articles affecting 47 industries of this country, and we have 60 nations all told having treaties with us that include the favored-nation clause, which gives each one of these nations the same right, the same privilege, we give to any other nation by treaty; therefore, when a treaty is made with Cuba or with Belgium or Brazil or France giving them concessions, it immediately takes in the same articles of the 59 other nations; and so these treaties, in the reduction of our tariff protection, have aided and helped, together with the processing taxes, in building up the unemployment and added millions to the doles—and the planned chaos goes on apace.

If our President wanted recovery, he could get it in 60 days by placing a tariff, which he has the power to do, though unlawfully acquired, upon those things we make and raise in this country that would insure the production by our own people for our own market. Instead of that, under lower tariffs and processing taxes, he is giving away our market to foreigners while the planned consternation and chaos continue to grow. He has given Japan our textile industry, to Russia and Japan our match industry, and our match factory at Cluquet with 1,000 employees must go out of business; to Argentina our beef-raising industry; to Australia our hide industry, in short our entire farm production is being thus dissipated.

I have not space to go into detail of industries and agriculture ruined thereby but will take a word or so to explain the effect of shutting out just one farm importation. If blackstrap molasses were barred, the millions and millions of barrels of commercial alcohol used in this country would of necessity be made of corn or potatoes, and there would be no need of paying our farmers not to farm in one part of the country and then spending hundreds of millions of dollars in another part of the country to reclaim nonproductive land. All the corn and potato land we have in the country could be used and our corn sell around \$1 a bushel if this one item were prohibited.

It will be shown by a letter I wrote to the President, December 3, 1934, that the makings are here for the greatest farm and industrial boom we have known:

"MY DEAR MR. PRESIDENT: For the purpose of furnishing a working example by which a majority of the 10,000,000 persons now unemployed may be returned to profitable employment, without taking one dollar from the United States Treasury, the following list is a rough draft of how those people can be cared for within 6 months.

"By acting as England, Canada, Australia, Norway, and Sweden have done; that is, by stopping imports which compete with what we produce, we find we must reemploy the following:

"Two million persons to cultivate new corn land when blackstrap molasses is barred.

"Three hundred thousand miners to operate our copper mines.

"Two hundred and twenty-five thousand additional pottery and chinaware workers.

"One hundred and seventy-five thousand to make carpet, rag, and grass rugs.

"One hundred and fifty thousand fishermen and cannerymen when these imports are stopped.

"One hundred and fifty thousand iron and steel workers.

"One hundred thousand persons to raise cattle now imported as frozen and canned.

"One hundred thousand silver miners, if we buy our own silver.

"One hundred thousand shoe workers.

"One hundred thousand to produce gunny cloth and gunny sacks now imported.

"Seventy-five thousand textile workers.

"Fifty thousand persons in electric lamp, toy, and novelty factories.

"Fifty thousand persons to can meats.

"Fifty thousand to produce cement and bricks.

"Fifty thousand manganese miners.

"Thirty thousand vegetable canning workers.

"Twenty-five thousand additional coal miners.

"Fifty thousand distillery and wine workers.

"All these people at this moment are on Government relief.

With the power vested in you by the last Congress, Mr. President, you can raise the tariffs on all these articles and thereby return about 6,000,000 persons to profitable employment. It is reasonable to assume that this number of persons will employ another 3,000,000 to supply their wants. After that, Mr. President, we have no unemployment problem and no depression. I trust this matter will be given your earnest consideration."

Prosperity would be here today if this repudiating international administration would cease its policy of immediately attacking any enterprise that seems to prosper that is outside of the control of his favored international trusts. In the best of times our exports were only 5 percent of all our production. Today they are about 1½ percent. Ninety-eight and one-half percent recovery would be sufficient to make all our people prosperous and contented, but prosperity will not be allowed to come until this administration wants it, until it has things set to secure its ambition of permanent dictatorship, and until it can claim that recovery came only through such dictatorship.

I stood on the floor of the Senate day after day and protested and protested and pointed out what the administration was attempting to do to us. I was called "guerilla", a "buzzard", and a "traitor", but I kept on though the censorship of news out of Washington detrimental to this administration was almost complete. I made scores of speeches that are there in the CONGRESSIONAL RECORD to be seen and speak for themselves. Had I had the unanimous decision of the Supreme Court on May 26, 1935, declaring the N. R. A. unconstitutional and unlawful before me, I could not have spoken differently than I did. All Americans should offer a prayer of thanks for the Supreme Court, not only because of the effect of the decision but because it was through this decision that the truth of what this administration was attempting to do to our Republic began to leak out, and it has only been since that decision that the people have been able to gather here and there the hideous truth that is staring them in the face by putting together this fraction of a speech, this part of a newspaper editorial, this remnant of a conversation. The event was so stupendous that even the well-planned censorship could not hold. All the people need to know is the truth and the truth will again, through their knowing how to cast their votes, make them free. Today, if those who called me "buzzard" and "traitor" are fair, they must now join with me under those cognomens the entire Supreme Court of the United States.

Every bill this session has passed has been outside civil service, contrary to his platform. Almost every bill this administration has driven through Congress has grasped more power, has been secretive in its execution, and surrounded by censorship. Every department today is clothed in secrecy and censorship. Written hand-outs carefully supervised are the only news. About 300 of the best newspapermen in the Nation have been employed at Government expense, contrary to any law, with salaries up to \$9,500 a year. It is their business to insure propaganda and picture glowing dreams of what this benevolent administration is doing. Their stories are often of whole cloth, but mostly with half a percent of truth carefully tucked in for observation purposes. This stuff is printed at public expense and sent broadcast over the country under the Government frank. You can hear the voice of some Government propagandist over the radio every few minutes. The radio dare not refuse them. They have a

license for only 6 months and that license can be withdrawn at any time and the Commissioners whom the President appointed can be fired at his whim. The newspapers tell as much of the truth as they can and live. The local banks are controlled from Washington through the administration's insistence upon having directors from the Reconstruction Finance Corporation on their boards. If any newspaper dare get fresh and start telling the people too much truth the bank will hear from Washington and the bank will see to it that the newspaper gets good.

The administration has created some 57 bureaus, whose rules have the effect of law passed by Congress, contrary to his platform. These rules filled volumes and volumes and are nothing more nor less than the whim, fancies, and prejudices of some little dictator of the bureaucracy and men all over the country have gone to jail under their edicts.

The so-called "Communications Act" was a complete dictatorship as it passed the House under the gag rules and devious manipulations of the House by the President. The Senate succeeded in taking out a great deal of the poison, but there still remains in that bill the power of the President to declare an emergency, and then upon that declared emergency to take over every avenue of communication the people have in the country.

It is all set, every little thing has been attended to in this bill and that bill, and that is why we have been held here in Washington, to be sure that nothing has been overlooked to prevent when the time has come the permanent establishment of the coming empire. Everything is all ready for consummation of the great movement to destroy our Republic if only the election of 1936 comes his way. If need be, he can, under the communications bill, use the war clouds across the ocean as an emergency pretext to take complete censorship over every communication avenue in the United States to keeping his movements concerning what he does from the people.

The \$5,000,000,000 appropriation is to be used in any way his own sweet will might direct for his own emergency in 1936. The indications that another five billion will be demanded next session is complete proof that he has no idea of allowing recovery until the stage is all set for his emperorship. Thus with \$10,000,000,000 of the people's money to be spent for the emergency of his election in 1936 he feels quite sure that no mistake can be made, for the censorship of the real news and truth will go on, and anyone who attempts to break loose from the censorship will be persecuted by the devious ways that this Fabian administration know so well to perform.

My little daughter placed my finger on a hole made in the back of my car by a .45 bullet. The next day, between 1 and 2 o'clock in the morning, my barn was set afire and my two sons, who roomed over the barn, were nearly burned to death. The "raw deal" took occasion to send out through the press propaganda of my palatial residence and magnificent estate of some 320 acres, with buildings galore, and advertised that seven limousines were burned. The fact is that my magnificent estate consists of 7 acres, with an ordinary farmhouse with the usual smaller buildings, and the cars were junk that the boys had accumulated, not worth all told \$300, and I purchased this magnificent estate and palatial residence for \$4,500.

Further illustration is the persecution of the Republican Governor of North Dakota, William Langer, who vigorously opposed the sinister methods of this administration. Langer was framed through the connivings of Tammany Farley, Postmaster General, national Democratic committeeman, Democratic committeeman for the State of New York, patronage dispenser, and the personal representative of the President. By his appointee, the district attorney of North Dakota, with the assistance of the United States marshal, both appointees of Farley, a special grand jury and a special petit jury were selected from the Governor's enemies to indict and convict him. The juries knew what the verdict was to be before the pretended evidence was heard, and, upon insistence of the Farleyite district attorney, the Governor's attorneys were not allowed to examine the jurymen's qualifications. A conviction was inevitable, but recently the circuit court sent the case back for retrial and stated that there had been no Federal law broken and no State law broken. Again, thank God for our courts. But today, with Farley naming the judiciary, how long will it be before our courts are "raw dealish"? Special care was taken to provide for additional judges galore by the last Congress.

In order not to overlook any bets, the personal representative of the President caused the tapping of the Governor's telephone wires and his office rifled and contents carefully gone through, his mail opened and photographs taken. All this has been done to me so I know something about it. They haven't yet found anything with which to indict me, but they did have me up on my income tax, though my income is only my salary despite the whispered prevarications sent out profusely throughout Minnesota by paid mouths. The history of this case reads like the persecution of some common citizen of Russia. If enough Jeffersonian Democrats were permitted to vote their convictions in the Senate to allow an investigation in this matter, I am sure it would reveal some hideous crawling things beneath the surface of the propagandist news that the people are now fed.

If such things can be done to a Republican Governor and a Republican Senator who speaks unreservedly the truth, and there is at least another Republican Senator and a Democratic Senator, HUEY LONG, who has had similar treatment, what will be done to the common ordinary man when the full effect of this punishing, censoring regime reaches its full stride? They are drunk with stolen power and will stop at nothing. Already secret agents and informers are flooding and pestering the country. Seven million added to the Government pay roll. Under the direc-

tion of Farley and the President, the censorship and bedevilment and belittlement of me and my speeches in the Senate of the United States has been constantly carried on during these last two sessions of Congress with no other purpose than to depreciate and belittle the truths that they cannot successfully deny.

I want to say to you and want you to tell your friends that if you write me and do not hear from me immediately, you'll know that letter has gone into the hands of the censorship committee. Please tell your neighbors and ask them to write again—perhaps that will get by. I have always answered my mail promptly and if you do not get a prompt answer you'll know I haven't received it. My mail is being interfered with constantly. They have used every means by which to close my mouth. It is not the United States of America, it is the United States of Russia and our country is overrun with spies, manipulators, despoilers, racketeers, and grafters.

Hundreds of millions of dollars have been sent into Minnesota to accomplish my silence and see to it that such a cackling goose be forever kept from the Senate floor. This does not deter me, for money in plenty has been used before to that purpose but never before has the Federal Treasury been put to such an end, and used as a campaign fund, and it may be accomplished, but only upon the condition that the people of the great State of Minnesota are kept in ignorance of what is actually going on down here behind the scenes and my part in doing what I can to expose it.

I want to hear from everyone who is interested in preserving our Republic. I want your advice and moral support. If you don't agree with me write and tell me why, for it is in the very conflict of opinion of parties and men that lies the secret of our strength, education, and success.

The question for your decision in 1936 however camouflaged is, "Shall we have a constitutional government or a despotism?"

Faithfully yours,

THOS. D. SCHALL.

P. S.—I am herewith enclosing your letter which, because of its length, I have had printed in the CONGRESSIONAL RECORD. Also the Tom Schall creed. I hope you'll consider these prints as a part of this letter and read them and after you have read them, I'd appreciate hearing from you.

T. D. S.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1994) to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, and it was signed by the President pro tempore.

SUPPLEMENTAL DEFICIENCY APPROPRIATIONS

Mr. ROBINSON. Mr. President, I move that the Senate reconsider the votes by which the amendments to the deficiency appropriation bill were ordered to be engrossed and the bill was ordered to a third reading and passed.

Mr. LONG. Mr. President, I have not desired to interrupt the proceedings this evening. I did not ask my friends to yield to me a moment ago when they were considering the matter of recessing until the House could send to the Senate the papers relating to the deficiency appropriation bill. There are a few things which have transpired, however, which the records show in part, which I consider it my duty to disclose fully for the future consideration of the country, as well as of Members of the Senate.

I wish to say first to my friends of this body, as well as to those who may not be politically friendly to me—and I hope most of the Members are my personal friends—that when the motion was made by the Senator from South Carolina [Mr. BYRNES] to suspend the rules in order that we could protect the cotton farmer from the ravages of this administration, I undertook to assist the Senator from South Carolina to get two-thirds of the Members of the Senate to vote to suspend the rules in order that an amendment might be tacked onto the deficiency bill to protect the farmers against what had been ordered by the administration.

We did not have enough men interested in cotton in this body or sympathetic with cotton, I was afraid, to get the two-thirds vote to suspend the rules, so I approached Members on both sides of the Chamber who were concerned over this agricultural problem, and upon being informed that they were desirous of doing something to protect the wheat farmer, I urged them to join with those of us trying to protect all kinds of farmers, those interested in cotton and those interested in wheat, and told them that I thought we could mutually pass an amendment which would protect the cotton farmer and the wheat farmer.

It was with the combined votes of the Senators from the South and the West and a sprinkling from the East that we suspended the rule by two-thirds vote, and thereupon adopted an amendment, proposed in part by the Senator from North Dakota and in part by the Senator from South Carolina, that gave a substantial protection to the wheat and cotton farmers of this country.

Mr. President, after that amendment had been tacked onto the deficiency bill it went over to the other House of the Congress. I hope I may be permitted to state what happened in the other House, inasmuch as other Senators have so stated.

I have the RECORD to show that when the bill got over to the other House—and I speak only from the RECORD—it was not put to a vote of the House. There has never yet been an opportunity in the House of Representatives for the Membership of the House to say whether they do or do not favor the bill as amended to protect the wheat and cotton farmers. On the contrary, an ultimatum has in effect been served on the Senate to the effect that "Unless you withdraw an amendment which has been adopted to protect the wheat and cotton farmers, the House of Representatives will never be given an opportunity to vote on this bill." That is what has happened.

Mr. President, it is not a matter of legislative difference as between the two Houses; that is not what is before us. We are called on to decide whether or not there is such a thing as a republican form of government in this country, because one branch of the Congress has had an opportunity to vote, and, on the other hand, the situation is in such shape that at the other end of the Capitol a legislative branch of this Government is denied the right to vote on whether or not it wants the deficiency bill, as amended by the Senator from North Dakota and the Senator from South Carolina, enacted into law.

Mr. President, we have come to a rather peculiar pass. My friend the senior Senator from South Carolina [Mr. SMITH] is not present. I ask that one of the page boys ask the Senator if he will not come into the Chamber, because I wish to mention his name, and I do not want to say something which might misquote him.

Mr. President, we have agreed to an amendment, and it has been sent back now because, as I understand from the RECORD—and I speak only from the RECORD and from what has been uttered on the floor of the Senate by others, and I presume I am therefore within the rules of the Senate, and if I am not, I will desist—I understand from the RECORD and from what has been said here that the chairman of a committee has taken the deficiency bill and has served notice in open session of the House that he will not report the bill with the amendment which has been placed on it for cotton and wheat. Therefore the great legislative body at the other end of the Capitol becomes impotent; it becomes *functus officio*; it is suspended; its members, who are sent here by the votes of the people, are not allowed to speak; it sits there almost like an Egyptian mummy—

Mr. ROBINSON. Mr. President, I do not think it is in order for the Senator to criticize the proceedings in the other House. Of course, I do not wish to interfere with his remarks, but there is a well-established rule, and I ask the Senator to discontinue that line of debate.

Mr. LONG. I will stay within the rule. However, more or less of what I am saying has been said on the floor of the Senate, but I will stay within the rule.

Mr. ROBINSON. One violation of the rule does not justify repeated violations.

Mr. LONG. Very well, I will stay within the rule. I will not say that the House of Representatives has done anything.

Mr. President, I have had a great deal of advice concerning legislative proceedings, and I have given a little study to legislative proceedings which have occurred in this country in national and in State governments and in foreign governments and from my study I will say that once upon a time there was a legislative body, so I was told, not this body, however, in which I am now speaking—which declined to allow its membership the privilege of voting on whether it

did or did not wish to help certain farmers raise their wheat and cotton, and in that particular legislative body to which I refer, making no mention whatever of anything which is concerned here, this particular institution was held powerless to permit its own members to say whether they did or did not want a protection given to the wheat farmer and to the cotton farmer which had been ordered by others interested in that subject.

I have always said that everyone had a code. I do not mean an N. R. A. code or anything like that. I am now speaking about respectable codes. It is said that every sort of element always has had a code, written or unwritten. Bankers have a code. Legislators have a code. And even those who are interested in ferreting out organized crime tell us that even the burglars have a code. Whether it is written or unwritten, nevertheless there is certain ethics that everyone lives up to.

We had an agreement here among the gentlemen of the Senate—not exactly an agreement, but I went over to the Senators who were concerned with the cotton amendment, and I said to some of them whose States are concerned with the cotton problem, "The only way we can save cotton is to get the help of the men who want to save wheat"; and so they joined with me and with the Senators from the States where wheat is raised, and we voted cotton into the bill, and we voted wheat into the bill, and provided a meager pittance of protection for the wheat farmer and the cotton farmer.

Lo and behold, a conference no doubt took place. I do not know anything about it. There might have been a thousand conferences which took place outside the Capitol today. Perhaps one at the White House, perhaps one at the Department of Agriculture, perhaps one at the Treasury Department; but a conference or conferences have taken place, and what has been the result? No wheat-farmer representative has been called into those conferences. The rendezvous knows nothing about the agreement which is going to protect the wheat farmer and afford him margin against the ravages of the elements and the markets.

Nonetheless an agreement has been reached, but they have not said "yea" nor "nay" about it; they have neither invited nor refused admission to any Senator who was undertaking to protect wheat, and therefore to protect cotton in order that he could protect wheat—they have not invited him nor told him anything about the agreement. But we find ourselves in the situation in which our partners have been left out in the dark.

Now, I desire to appeal to the Senators from the cotton-growing South. Senators from that section have done a grave injustice to the cotton farmers here tonight, and I am going to show them so in a moment. I do not intend to take up much time explaining this matter. You have done a grave injustice to the cotton farmers tonight; you have done a graver injustice to the cotton merchant tonight; and you have done a still worse injustice to other unprotected interests who are concerned with cotton goods, who have loaded up on inventories based upon a certain price plus processing tax.

All of those people you have thrown into the mire to sink or swim. And practically, you have done what? You have taken the word of Mr. Henry A. Wallace, when he said, "If this does not work, I will be the first to say so", and you have allowed him to say, "It has not worked. I have thrown the thing down. Now I want you to give me something else that I can do according to my ideas." That is what has happened, instead of having Mr. Henry A. Wallace come here and say, "I have asked for this thing. It has not worked. Show me the way to go home."

What Mr. Wallace should have come in with was this: After he had thrown down something that he urged upon the people of the United States, and then demanded, after throwing that down, that something else be done, the only message Mr. Wallace ought to have sent into the United States Senate was "Show me the way to go home." He is the only man who has not realized today, apparently, that instead of giving orders he ought to be taking orders.

My friend the senior Senator from South Carolina [Mr. SMITH] has not yet returned. I will have to propound a question and depend upon his coming back at a later time. The Senator from Arkansas [Mr. ROBINSON] has announced that an assurance has been given by the Department of Agriculture that now they are going to lend 10 cents a pound on cotton. The Senator from South Carolina announced on the floor of the Senate, and another Senator on the floor of the Senate whispered in my ear that he heard it said to the Senator from South Carolina, that he was told by the President of the United States that we were going to have a 12-cent loan on cotton. The Senator from South Carolina who told us we were going to have a 12-cent loan on cotton, and who told us in effect that the faith had been broken, hears someone else saying that we have been promised 10 cents on cotton.

I want to know if the promise of 10 cents is any better than the promise of 12 cents was? If the promise of 12 cents was no good—and the only way we made them live up to anything at all was by a law that we were undertaking to pass—if it took holding this Congress in session last Saturday night—and I was one of the men that helped to do it—if the only way to make them respect part of their promise was to keep Congress in session on a 12-cent promise, then what more is the promise of 10 cents now worth than the promise of 12 cents was worth then?

My friend from South Carolina is not here yet. He has gone. I am speaking of the Chairman of the Committee on Agriculture. I am sorry he has gone, because I should like to look my dear friend in the face and ask him how much more he believes in this promise than he did in the last promise which was made? I would just like to find out what has occurred that gives us any more assurance that they are going to keep this promise than that they were going to keep the last promise.

What is the bill meant for, Mr. President? Why are we going to drop the wheat farmer? Do not forget that I say to Senators from the cotton States—and they have got to come back here again—this means a destruction. This means a 10-cent cotton market at the best. It means far less than a 10-cent cotton market in what its practical effect will be.

It seems that the men who have filled their warehouses with cotton goods and with cotton which they have bought at a price of 12 cents, plus the processing tax, have got to take the inventories and the cotton stocks they have on hand and revalue them tomorrow on the basis of 10 cents. True you have got in there what pretends to protect the farmer for 1935 crop only, but after that time the farmer must go into a market with a cotton crop which is going to sell away under 10 cents, but at the very best could only sell for 10 cents. In the meantime, while you are protecting the farmer from the eventual day that will not be long postponed, you have got the man with the cotton goods in the warehouse, with the cotton in the warehouse, with the cotton goods on the shelves, with the few bales of cotton the country crossroads merchant has bought and stocked up waiting, perhaps, for a better price.

That man gets nothing. I see nothing to protect. The farmers who have already sold their cotton this year, they are going to lose millions and millions of dollars. And the mills that stocked up on cotton at a price fixed by the Government including the processing tax, the merchants who have loaded their shelves and their warehouses with cotton goods, the merchants who have bought cotton and still hold cotton, and the gins and compresses that have loaded up on cotton at a price of 12 cents, and a processing tax fixed by the United States Government, have been condemned to absolute financial bankruptcy ab initio; it starts right now.

Now about this deficiency bill before I proceed a little further on the merits of this cotton and wheat situation, let me say when the Senator from South Carolina expressed some feeling that the failure of the bill to pass was going to be disastrous, we were told the other night by the Senator from Arkansas that the deficiency bill failing to pass would not hurt anything much, that is, he said that the \$4,800,000,000 relief money or work money, or whatever it may be called,

would be sufficient—I want my friend from Oklahoma to hear this—and there would be enough money in the omnibus bill to take care of anything that was required under the deficiency bill. I hope that is true. The Senator from Arkansas is the man who guided that legislation through most of the way and, no doubt, knows what it means better than I do; and I therefore must agree with him and accept his word as he gave it to the Senate last Saturday night that if we should not pass the deficiency bill it would not deprive any of these several institutions of any of the needed money, for the reason, said the Senator from Arkansas, that the President has plenty of money in the \$4,800,000,000 pile to take care of anything the deficiency bill was supposed to care for.

I assume the Senator from Arkansas knew what he was talking about; in fact, I am confident he did, because many others, including many newspaper reporters, had given me the same information. Therefore, inasmuch as the Senator from Arkansas has hastened in here with a motion, the effect of which would be that Senators would have to stand under the mouth of the gun and be heard for 5 minutes and no more, or else the Congress of the United States would adjourn; that is the same as saying that a deficiency bill does not mean anything or otherwise the Congress would not be told, "You have got to get out of here before midnight; you are such characters that the Capital City can no longer stand you." I do not know what has happened to Representatives and Senators, but there is a hurry to get them away from here. Now they all seem to think alike. I thought and I said it was a bad thing to let them come back at the beginning of the year; but they did not think so. I thought it was a bad thing to stay in session 30 days, 60 days, or 90 days, and now, after having experimented with things for 8 months, they have decided it is bad to have Congress stay here any longer than tonight.

Here is a bill on which the Membership of the House of Representatives has never been given the slightest chance to vote, and, nonetheless, we find that we are not going to be permitted to give them that right, but the Senate has got to recede. Mind you, Mr. President, I would not undertake to have the Senate of the United States keep the House and the Senate in session one moment if this matter had ever been submitted to the House to be voted on. Take this bill with the cotton and wheat amendment on it over to the House of Representatives and let the Members of the House vote on it; and if they vote it down, I will not ask that the House or the Senate remain in session a moment longer than that shall have been accomplished; but I decline to be stampeded and to be run out of the city of Washington, D. C., in order to prevent the House of Representatives on the deficiency bill from having an opportunity to vote on wheat and cotton being protected by the United States Government.

I am only contending for legislative government; I am only contending for constitutional Government. Take the bill tonight over to the House of Representatives as it went out of the Senate and give that House a chance to vote on it up or down, either way, and I will abide by the decision and consider whatever they do to be all right, but I will not have anyone tell me "You are not going to be allowed to speak more than 5 minutes because of the fact that it is not dared to trust the House of Representatives in the action it may take."

I read the statement given out by a friend of mine a while back in which he said that this was as good a Congress as has been in session for 30 years, and he was kind enough to say that the Members of the House in caliber were the equals of the Members of any other House in which he had ever sat. I hope I am not reflecting on the House when I say that its Speaker said that its Members were of as high a caliber in statesmanship and intelligence as the Membership of any preceding Congress in which he had ever sat. But, with all their intelligence, they have not been allowed to vote on this bill. That intelligence has not as yet been allowed to express itself, and we are asked to adjourn because if we do not there is a possibility that they are liable to have a vote in the House and the Members elected by the

people will get a chance to say how they feel about this bill. That is the situation.

All right. We cannot do any harm defeating this bill now, but here is what we can do: We can say to the President here tonight that this is a legislative tribunal; that we have a republican form of government; that the Houses of the Congress elected by the people have a right to say whether they are for or against something; and we can say, if it takes 1 day or 2 days or 3 days or 2 or 3 weeks or 3 months, that Congress has a right to stay in session long enough for both Houses to say whether they do or do not want cotton and wheat or anything else protected in accordance with what has been adopted by one House.

I ask Members of the Senate, realizing that Members of the other House are listening to me, how will they feel when they go back home tomorrow morning and tell the people, "I was not permitted to say whether I favored the cotton and wheat amendment or not; I was not given an opportunity to say." What would their constituents say to them? I will tell you what they would say. Their constituents would tell gentlemen of the Senate and of the other legislative body, "Do you mean to tell me that you were a Member of the Congress of the United States and that you were not allowed to vote on whether you were for or against the cotton and wheat amendment? Is that what you mean to say?"

In the experience of Members of this body, I venture the assertion that never has anything like that occurred since they have been here. No one has told me that such a situation has ever previously prevailed.

Now I want my friends to think about that. I have not overpainted the picture. It may be that that is the kind of Government they want; I do not say it is. Without my losing the floor, because I have a few more remarks I wish to make on this subject before taking my seat, I will yield for any Senator to inform me if he advocates that as the kind of a Government we should have for the legislative department; that he agrees there should be a shenanigan in this body, as an example, that would prevent 96 Senators or 435 elected Members of the other body from saying whether they were for or against something. I ask my friends to think of this matter. I ask them have we had representative government in this Congress? I ask my friends from the State of New Mexico; I ask my friends from Utah, from Nevada, Missouri, Oklahoma, Kansas, North Dakota, Idaho, Iowa, Pennsylvania, New York, is that the kind of legislative government, representative government, through the viva voce of the people's elected representatives we are going to tell them we have.

I am unwilling that the Democratic Party should go out of here tonight—a party that I helped to bring into power—and inform the people of the United States that it has concluded its session after 2 or 3 days of struggle in an effort to prevent the Members of one House from having the right to vote. I am unwilling to have this legislative body adjourn with that kind of a curse upon it. I am unwilling to have this body condemned in the West and in the South and in the East. I am unwilling, unless the men of this body and of the other body have concluded that they are firmly of the opinion, after due deliberation, that they want a government of the kind that hides the votes of the one House and prevents the expression of their will on matters prevailing at this time.

I want Senators to think of that. I heard yesterday in this body—not yesterday, either. It seems like it was only yesterday, but it was 3 or 4 days ago. I heard in this body a speech made by the senior Senator from Nebraska [Mr. NORRIS], followed by a speech made by the junior Senator from Oklahoma [Mr. GORE]. I heard a speech which the junior Senator from Oklahoma made in which he recited the turbulent legislative struggles prior to the declaration of war in 1917. As I heard these speeches from these two Members of this body, the only two Members of the Senate who voted against the declaration of war in 1917, I thought to myself, "Is there in the American Congress left that kind of statesmanship, that kind of honor, that kind of courage that was shown by the Senator from Oklahoma [Mr. GORE] and the Senator from Nebraska [Mr. NORRIS]?"

I wondered if the time would come when the lashing whip of the public press, the shouts from the streets of the munitions makers, and the clamor of the Chief Executive would be so strong that it might mean destruction to one's career and might even mean more harm than that—whether or not, beyond these two men remaining here, there would be found the kind of men who would stand up as did the Senator from Oklahoma and the Senator from Nebraska in 1917 and vote their convictions.

As I listened to the remarks of those two Senators I heard the Senator from Oklahoma say, "I was one of the seven who declined to plunge the young manhood of this country into that vortex of blood 3,000 miles away and", said he, "it brought about an involuntary retirement for me of 10 years in my public life", later, however, I might add, to receive the vindication of a grateful people that when they were wrong he was right in standing for a principle in this country which meant more than any career in this body.

Tonight that principle is practically being fought all over again. Here we have a legislative situation more serious than prevailed in 1917. In it there has been relief promised to the people of the United States by the authorities in power, and that promise has been broken. If the words of honorable Members of this body can be believed, we had promises by the Chief Executive of the United States of America that there would be a cotton loan of not less than 12 cents and, according to some Senators, that promise was made to be given to this body and to be given to the country, and was so made and was so given.

According to the statements made here, the dew was scarcely dry on the promise that had been made when, lo and behold, the next thing we know an ultimatum was sent forth that instead of keeping the promise of 12 cents a pound as a loan on cotton, that promise would be reduced to 9 cents a pound as a loan on cotton thereafter, and the cotton market fell \$7.50 a bale the moment that announcement reached the cotton exchanges.

Congress, acting through the Senate to begin with, took the matter into its own hands. They said, "We have trusted the executive departments to keep their word and they have not done it." They said, "We have trusted the executive departments to exercise certain legislative functions rightfully belonging to the Congress, and they have abused those functions entrusted into their hands. Therefore", said the Congress, "having been deceived, therefore", said the Congress, "having seen the power which we abdicated into their hands abused and discredited, therefore", said the Congress of the United States, "we will take back into our own hands the burden rightfully, initially, and properly resting upon the Congress, and we will prescribe by sacred legislative will what is to be the law and the rule and the custom prevailing in respect to cotton loans and other farm loans, in order that this kind of abuses shall not be reflected adversely upon the cotton farmers and the wheat farmers of the country." So we did.

Then what did we do? We could not adopt a cotton amendment by itself, as I have already said. There are not enough men here interested in cotton to have suspended the rule. One of the foremost advocates passed by my desk while we were debating the question of suspending the rule and I said, "Can we get the necessary two-thirds?" He said, "No; we cannot get the necessary two-thirds." Whereupon I engaged friends on both sides of the Chamber and sought to convince them that it was right that they should vote to suspend the rule, and further I gave them my assurance, after having communicated with Senators from cotton States, that if they voted to help us maintain what was necessary for the cotton farmer, we would vote with them to give what was necessary for the wheat farmer. Therefore we had the promise of the cotton to the wheat and the promise of the wheat to the cotton, and we got two-thirds of the votes in this regard and made it possible to suspend the rules.

I have not been doing any logrolling. I was simply arguing the merits of the matter. I was simply trying to convince Senators about the fair thing and the necessary thing for all sections of the country. I have never engaged

in any logrolling since the last tariff bill was before the Senate, as Members of the Senate know.

However, the Representatives of the wheat farmers came with us, and the wheat men and the cotton men voted "yea", and the man who was not particularly concerned in either one of them voted "nay", and we suspended the rules.

Now, how do you feel? Even a burglar—and we are certainly not doing a burglar's business; we have been doing an honorable country-saving piece of work—but even a burglar with a partner who rob a box car in the night go off somewhere behind the mountain or behind a hill and take what they have gotten from their robbery and divide it, "one for you and one for me." Here is a case in which we are doing an honorable business. Certainly our code of ethics can be as good as the code of ethics of a burglar, and a great deal better.

Here we are, going in with the wheat people and the cotton people to save them from suffering an injustice, and then we are killed off by our opponents who say to us here, "We are willing to give you a part of the help you are demanding provided you drop the wheat men." To my astonishment and to my great regret it is a Senator from a cotton State who is called upon to announce some kind of an agreement through which wheat is unceremoniously, without a hearing, dropped entirely. The wheat farmer can get 3 cents, 10 cents, 25 cents, or 30 cents a bushel or whatever he can get. He has been left to sink or swim, mostly sink. The cotton farmer has been given a little toe hold on life which will last for a few months, and in the meantime the man who has bought his crop of last year is left to suffer and to die and to perish and to fail, and everybody has dropped his partners in this business and let them go adrift—why?

It would have been bad enough, gentlemen of the Senate, to have left the wheat men out in the cold if we had got our price. That would have been bad enough; but it is twice as bad to let half of our own people be destroyed, and drop wheat altogether. Then, again, it would have been bad enough to have dropped the wheat bloc if the House of Representatives, by a vote of that body, had voted down this amendment, or had been allowed to pass on this amendment; but I say, gentlemen of the Senate, Senators from cotton States, it is a terrible thing for you to make a deal that involves dropping the wheat farmer and taking care of a little bit of the cotton farmer's troubles—not all of them, by a whole lot—but involved in that trade is that the wheat farmer will not have a right to present his case to a vote of the elected Members of the House of Representatives.

You have done worse than simply make a legislative trade. You have not only made a legislative trade here but you have dropped those people, not in a legislative trade, and in such a way they will not have a right to have their case heard in court. That has been done, and that is not a fair way to do.

I can go to the Senators from the wheat States, the next time we have anything to do in the Senate, provided I am back here—I may not be back here. This may be my swan song, for all I know. I have to go through an election between now and the next time Congress meets, or about the time it meets, soon afterward. Probably I shall not get back up here; but, if I should, if the extraordinary and unusual thing should happen, and I should be reelected to this body by the people of Louisiana, I shall be able to stay on this side or cross over to the other side, and say to the man from the West and the man from the North, "I want you to help us take care of our people"; and when he says to me, "Will you help me take care of my people?" I can tell him, "Yes", and he will know that I am going to keep my word. He will know that the telephone that rings in the White House will not be music to lull my ears. He will know that whatever bargain he has with me—I do not call it a bargain, rather, whatever solemn understanding, based upon fact and virtue, he has with me—will be kept, and I shall be able to talk to those men.

The sad thing about it is that some of the men interested in this cotton question said to me, "Can't you talk to Sen-

ator So-and-so?" I said, "Yes; I can talk to Senator So-and-so." "Well, then, can't you talk to Senator So-and-so?" I said, "Yes; I can talk to Senator So-and-so"; and I could talk to them, and they would take my word. They wanted me to go to see some of them, and I did, and I gave them my word, and I thought I was giving them the word of our whole crowd; and, lo and behold, I understand from them that not one of the men who were interested in wheat was called into the conference today, when they decided to leave them out in the cold in order to give a little half-baked proposition to let the cotton farmer live about 8 months and then cast him into outer darkness, the like of which he had never seen before.

I can go back to these gentlemen, if I come back to the Senate, and talk this kind of a matter over. I want my colleagues on this side to be in the same place. I want them to stand up for the wheat men. I do not say you have to stand with them under all circumstances—no. I will, but you do not have to; but I say this, gentlemen of the Senate: The least you can do for the wheat farmer is to say, "I am going to give you a right to have your proposition voted on by Congress." That is all I am asking you to do. If you want to drop the wheat farmer, if you do not think his cause is just, if you do not think the principle is right, then I will yield the floor any moment that you want me to, and we will let this matter go back to the House, with instructions to be given by the proper authorities, from whatever source they have to come, and wherever they may be, in the House or outside the House, that this matter is to be voted upon by the elected Members of Congress over there. If the elected Members of Congress say they do not want this amendment, I, for one, am perfectly ready to say, "Take it off the deficiency bill if you wish. The Members of both Houses have had a right to vote; and whatever may be the influences affecting either one of the Houses, I do not care. That is none of my business; but give both Houses the right to vote"; and if they have had the right to vote, I will say, "These men have voted, and therefore it stands."

Mr. McCARRAN. Mr. President, will the Senator yield for a question which will lead to another question?

Mr. LONG. I yield.

Mr. McCARRAN. As I understand, before we passed the Bankhead Act there was an understanding that the loan price on cotton should be 12 cents. I am not at all interested, save and except from the standpoint of fairness and justice. On Saturday last I asked the same question of the senior Senator from South Carolina [Mr. SMITH]. The answer was in the affirmative. Then, following that, I was informed that the policy now proposed by the administration was not in keeping with the promises made, and that 9 cents was the pegged price for cotton. Now I am informed, and I ask the Senator if he knows whether or not it is true that a promise has been made by the administration that the loan price on cotton shall be 10 cents. Is that the understanding of the Senator from Louisiana?

Mr. LONG. That is my understanding.

Mr. McCARRAN. Very well.

Mr. LONG. I yield for another question.

Mr. McCARRAN. With that in mind, I ask the Senator one more question, and I ask it with a view of terminating this entire situation.

I wish to say to the Senator, preliminarily to my inquiry, that I have discussed this matter with those who, like himself, are primarily interested in the development of the price of cotton and the welfare of the cotton grower. I have discussed the matter with the senior Senator from South Carolina [Mr. SMITH], affectionately known by the sobriquet of "Cotton Ed", and I have discussed it with the junior Senator from South Carolina [Mr. BYRNES]. Both of those able Senators, both of them interested in this industry, have expressed themselves to me that they were entirely content to go along with the promise that the loan price on cotton shall be 10 cents, and they have expressed themselves as willing to go along because they believe it is a step in the right direction and that it will lead to something beneficial in the future.

With that in mind, does the Senator from Louisiana not believe that we could well afford to take the promise of the administration, now given, undoubtedly, to the senior Senator from South Carolina and the junior Senator from South Carolina, and others who are interested in the great Cotton Belt of this country, and permit this proposed legislation to be enacted?

Mr. LONG. Let me explain to the Senator.

Mr. McCARRAN. Before the Senator replies, I want the Senator to realize that I know nothing at all about the raising of cotton. The only cotton about which I know anything is the cotton in a shirt or the cotton in overalls. I do not represent a State in a Cotton Belt, and I am not familiar with the problems of the cotton farmers; but I am trying to familiarize myself with them, and I know the Senator from Louisiana is familiar with them.

Mr. LONG. Let me explain to the Senator so he will understand. The Senator from Georgia explained the matter this evening very well, and I will undertake to explain it in my language.

The price of 12 cents a pound on cotton is what is sought, and calculated in this whole matter is a processing tax, which has to be paid by the man buying cotton. As an example, a miller has been told by the United States Government, and the promise has been made, that the price of cotton is 12 cents a pound. That miller buys the 12-cent cotton, he loads up on it, he makes goods with 12-cent cotton, he stacks his warehouse full of cotton goods that are made with 12-cent cotton, and he is not protected.

When today they are notified that the loan value of cotton for 1 year only is 10 cents, the man who has paid the processing tax, who has been told that 12 cents is the price of cotton, who has been promised that, must, on his inventory and on his stocks purchased on the face of the Government, go into bankruptcy. It means the bankruptcy of the domestic miller. It means, on the contrary, that the foreign miller has clear sailing. He gets American cotton and foreign cotton at 10 cents, and below 10 cents, and his goods are therefore brought in, and bankruptcy becomes the lot of the domestic man, who took the word of the Government.

There is another thing: What they have promised is that they will lend 10 cents on the 1935 cotton, this year's cotton, and then that the cotton farmer from this time on will get 2 cents a pound bounty. That is how the farmer gets his 12 cents. But the store, which already has bought the cotton at 12 cents, or whatever the price may be, including the processing tax; or the miller, who has already bought the cotton at above the 10 cents by several cents, and the merchants who have bought cotton goods at this price—those men are left out in the cold, and the crossroads merchant, who buys 20 or 25 bales of cotton, paying the 12-cent loan and the processing tax, is left out in the cold, and has to take his loss. Nothing in this agreement protects the farmer who has already gathered his cotton and sold it at the market price which prevailed the other day, before it could go lower.

In other words, they have not provided against the bankruptcy of those people at all. They have just as much assurance as the man who grew a crop—and I call the attention of Senators further to the fact that this loan of 10 cents, and a bounty of 2 cents, can only prevail 1 more year, because it must go down next year if they are going to throw this on the market.

They have decided that the A. A. A. will not work, and instead of the Government taking the blow—instead of it taking the blow out of the fund it has accumulated—it has thrown down the men who have bought the goods and have taken their notes, and now must go into bankruptcy because they did.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. McCARRAN. It is enlightenment that I desire, because a group of western Senators went along with the southern Senators to set aside the rule. We were zealous; we were earnest; we believed that the great Cotton Belt was being affected, just as we thought the Wheat Belt had been

affected, and the western Senators voted with the southern Senators to set aside the rule just the other day.

So when I ask a question of the Senator who has the floor I do it, not to hold up the Senate or to take the time of the Senator, but rather to receive enlightenment.

It does impress me—and I should like to have the Senator enlighten me, and I want him to do it fairly—that this whole matter has grown out of a condition which has been brought about by what is known as the "A. A. A." In other words, I might refer to an expression by Jefferson, and I ask the Senator to answer me in the light of that expression, when he said:

If we have to look to Washington as to when we shall sow and when we shall reap, some day we will be without bread.

Mr. LONG. That is correct; and we are without bread.

Mr. McCARRAN. Of course, cotton is not bread, but wheat is; and with that in mind, does it impress the Senator that we have gone too far in theory in keeping with the A. A. A. policy and that that has led up to this unfortunate situation?

Mr. LONG. I think the Senator expresses the case very aptly. We have, nonetheless, still tied the little cotton farmer down. We said to him, "If you did not plant cotton last year, you cannot plant it this year. You can gage what you can plant this year by what you planted last year." There may be a few exceptions to that, but very few. A man cannot start out now and plant cotton at all. He would have no market. However, the millman has to look to Washington practically for the plowing up and planting and the gathering of what he eats, as well as for the protection of the cotton which he is supposed to have.

The A. A. A. has fallen flat. Again I say to the Senate, "I told you so. I told you so." I said this thing would blow up. It has already blown up, inside and outside. There are not any hogs. A few days ago the housewives went over to the White House, I have been informed, and complained about the price of pork, and the White House spokesman, whoever he may have been, said, "The only way to reduce the price of hog meat is to raise more hogs." They did not say, "We went out and killed 6,000,000 last year to keep the price of meat up."

There is also the same calamity in the cotton-producing States. So where this fictitious pegging, which was going to raise the price, and all of this conglomerated scheme of things, which no one could keep in his mind, nobody knew head or tail or hair or hide—finally falls of its own weight, and the pitiful thing is that the wheat farmer and the cotton farmer are now being picked out to take the brunt of it.

Why do they not come in and say, "The whole thing will not work", and call in some of the sensible people who told them it would not work, and let us devise a scheme of getting out of this orgy of conglomerated misfits and misunderstandings.

Let them call me in, and I will tell them how to get out of this thing as they ought to get out of it. I can tell them how. Do not call one of them in. Call in some of us men who told them not to do it. Call in some of us who said that thing would not work, who tried to tell them how to fashion a plan that would work in this country, instead of this same set that is up there, which devised this outrageous scheme of things, and is now devising another plan, and when that fails, there will be another plan.

More farmers' homes have been sold this year. Some of them are out of their homes. They have their earning power reduced even below what it was in the Hoover year of 1929. The most that a farmer can make is 50 percent as much as the Hoover period farmer was earning in 1929. And he is getting only a 59-cent dollar, as against a Hoover 100-cent dollar based upon the gold content, according to the laws of Congress and the regulations of the Treasury Department.

That is the pitiable plight we are left in tonight, and our plight will be worse than that if in order to maintain that system of things we have got to keep the people's elected representatives from voting. Think of it! Think of it! "Upon what meat doth this our Caesar feed?" Think of it! In order to maintain this hydra-headed abominable system

of wreckage and ruin and starvation and pillage they have got to adjourn the Congress of the United States without letting the elected Representatives of the lower House have the right to vote. Think of it! The people's representatives will depart from here by midnight, and they will go home, and they will be asked by their people, "Why is it that you allowed this thing to persist? Why did you allow the wreckage to become a double wreckage?" And their representatives can only say, "Well, had we been allowed an opportunity to vote we would have voted with HUEY LONG, but we were not allowed to vote."

That is what they have got to say. The only thing I can say is that they did not want me to talk but 5 minutes, and I insisted that I had a right to talk. If you will not let our elected Representatives from Louisiana vote, then, bless my soul, their Louisiana Senator will talk for their vote. That is one thing he will do. [Laughter in the galleries.] That is all the right we have left. If you will give the eight elected Representatives of the State of Louisiana the right to vote—I do not know how they will vote; they are their own judges—but if you will give the eight elected Representatives of Louisiana the right to vote you will not hear another word out of me. They have a right to have their position known. They come here elected by the sovereign people of that State. They have a right to say whether they want this or do not want it, and they have a right to say whether they are to keep faith with the wheat Representatives and Senators the same as they are keeping faith with one another.

But, oh, no. What I am clamoring for here has become almost laughable. Think what the issue is tonight, Mr. President! I am contending for such a radical proposition that it will be laughed about in administration circles from now on. I am actually trying to give 435 Representatives a chance to vote on an issue before the Congress. Think of it! It is becoming almost silly. Think of it! There is no point of difference on the merits of the bill. I have not contended for that, because I believe I can take the word of the other House and the word of the Senate about that; but the only thing is that the Members of Congress are being strangled tonight and denied the rights and the privileges and the prerogatives of elected representatives of a free people to say whether they do or do not want an enactment which has been passed by two-thirds of the Members of the United States Senate. That is the issue before us, and that is all.

I received some information over the telephone tonight. I said to a friend of mine today, "Who was it that got up this 9-cent loan?" A newspaperman, whom I know to be reliable, telephoned me tonight and said, "I have found out for you that the Secretary of the Treasury, Mr. Morgenthau, has given out a statement in confidence, more or less, but nonetheless I tell you as a fact that Mr. Morgenthau says that this 9-cent plan was devised by Mr. Oscar Johnson, of Mississippi." I said, "Mr. Oscar Johnson, of Mississippi; that may be where he lives, but that is not where I know him to be from. If it is the Oscar Johnson, of Mississippi, that I know about, he was the manager for a chain of British plantations." The newspaperman said, "That is the same man." And so I am glad to confirm what I thought to be the fact. I knew this idea could not have been given birth in the brain of an American cotton owner, nor an American cotton planter, nor any American who understood the situation. I knew that the idea had foreign parentage; and lo and behold, the gentleman who was formerly a manager of a number of British plantations, and has lately returned from London, has given birth to this plan, and his brain child has become the adopted child of the A. A. A. of the good old United States.

That is why I am afraid for the 40 Senators and Representatives who are going to Japan.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. FRAZIER. Is this the same Oscar Johnson who has charge of the cotton division for the A. A. A.?

Mr. LONG. I think so.

Mr. FRAZIER. He is the man who came before the Committee on Agriculture of the United States Senate at the last session and made the statement that because of the cotton program the farmers in the South were getting along better than they had been getting along previously. He said they were quite prosperous. I asked him how much they were making. He said the average farmer had made a hundred dollars clear that year.

Mr. LONG. A hundred dollars!

Mr. FRAZIER. Yes.

Mr. LONG. Think about the farmer making \$100 a year! And this man thinks that is doing well on the part of the farmer. He had been over there in London, England, before he made that statement. And he thought the cotton farmer was doing well if he made a hundred dollars a year.

That was Mr. Johnson's testimony, which I understood the Senator from North Dakota managed to elicit—that he thought the southern cotton farmer was getting along fine. My friend from North Dakota asked him, "How much is that farmer making?" And Mr. Johnson said, "Why, on the average about \$100 a farmer." Think of it! This same gentleman takes another trip over to London. Possibly while he was over there they had one of these swell affairs going on, some sort of ceremony over there in the land of King George the Fifth and Queen Mary the Fourth, with dukes and earls and lords and other things. [Laughter in the galleries.] He comes back again and he decides that the cotton farmer who was making \$100 a year for his family was getting a little bit too much, and so he cuts him down 25 percent and makes it about \$75 a year; and now this gentleman, who has confounded his interest and his idea with the welfare of the British interests, comes back to America again and sits not at the feet of the Agricultural Department, but puts the A. A. A. at his feet and gives us more balm in Gilead by which for the next year or two he will only reduce the earnings of the cotton farmer a little bit, provided the wheat farmer is thrown out of the door at the same time.

Those men think they are doing the farmer a favor when they let him have the \$100 in money a year. They honestly think they are doing him a favor. Oh, my friends in the Senate, you should have had to make some of the political campaigns I have had to make. You ought to have seen some of those foreign and even native plantation owners who honestly in their souls feel, when they allow a white farmer or a colored farmer \$100 a year to live on, that he is getting along well, provided they themselves have sufficient prosperity to pursue their foreign trade and now and then introduce one of their daughters at the Court of St. James.

Mr. President, this man thinks \$100 is a good income for the farmer. That is the brain child that we have here before us, and which we are discussing, and it comes from this same man who is willing to allow the farmer \$100 a year.

Now I will speak of A. & C.—Anderson & Clayton, of the State of Texas. Mr. Clayton was up here at one time and said that the only way a man could tell what the price of cotton was going to be was to guess his mind. I was told that some time ago. The Anderson & Clayton people are a very large concern. They have been taken care of under this scheme of things. Such men as the Senator from Georgia [Mr. GEORGE] mentioned Anderson & Clayton and others are taken care of. But did anyone know that Anderson & Clayton have certain interests located in Brazil? Did anybody know that? Great American cotton factories, I have been told this afternoon by what I am confident to be very reliable authority, already have certain interests and have located in Brazil in order to handle the cotton situation, and the American cotton farmer is being dealt with from both ends at the same time. That is their condition.

Gentlemen of the Senate, it is not fair that I pursue this course without giving my friend from North Dakota and my friend from Nevada, who have informed me that they wish to be heard on this matter, an opportunity to speak. If they do not cover some of the matters that are affected by this situation, I can come back at a later hour and address the Senate further on this matter.

Mr. McCARRAN. Mr. President, before the Senator concludes—

Mr. LONG. I yield for a question.

Mr. McCARRAN. I should like to ask one or two questions. The questions I hope may be sufficiently elucidated by the answers so that the Senate may be advised.

As I understand—and I want the Senator from Louisiana to know that I am very much unenlightened on the cotton subject—America today is about to enter into competition with foreign countries in the production of cotton and the manufacture of cotton textiles; and that competition, as I understand, has largely been brought about by the conditions that have grown up in the great Cotton Belt.

I wish to say to the Senator from Louisiana that it seems to me we cannot solve that problem in an evening; and, in view of the fact that this appropriation bill carries many appropriations most vital to the welfare of the Nation during the next 4 or 5 or 6 months, and in view of the fact that a study should be made of the problems which he understands and which many others of us do not understand, would it not be well, and would it not be in keeping with the Senator's very earnest views, to permit this bill to go through, with the understanding that has been recorded on the floor of the Senate by Senators equally as interested as is the Senator from Louisiana? Then, with the same assurance that I gave the junior Senator from South Carolina just last Saturday, which is of record here, I believe that the western Senators will join with the southern Senators to the end that their great product in the South shall not be abandoned.

I only make that suggestion in view of the hope I have that we may arrive at a conclusion here tonight and that the Congress may adjourn.

The senior Senator from South Carolina and the junior Senator from South Carolina and other Senators from the great Cotton Belt of the South being apparently satisfied, and believing that this is the best they can do for the moment, and further, in view of the fact that we would otherwise destroy some of the valuable work we have accomplished during this session of Congress, would not the Senator consent that this matter may go through, with the understanding that the amendment as to cotton and as to wheat may be dropped and the bill go on to accomplish its other results, with the idea that eventually we will come together for the benefit of the product in which the Senator is so much interested?

Mr. LONG. Mr. President, let me answer the Senator in this way: If this administration is no more concerned with the welfare of the people than that it finds it necessary to adjourn the Congress tonight in order to keep the House of Representatives from voting on a bill, then, evidently, the administration has not anything to lose. If it is so concerned that it has got to adjourn the Congress for the sole purpose of keeping the House from voting, then, evidently, it has not enough illustrious statesmen that it thinks amount to very much to be lost by adjourning at 12 o'clock tonight. If it is so dead set on adjournment that it has got to get us out of town tonight, then, evidently, it has not got very much confidence in the Congress. What harm is to be done by the Congress staying here Tuesday, Wednesday, and Thursday? Representatives and Senators draw \$10,000 a year whether they remain here or not; it does not cost the Government anything to keep Congress here. Congress is the only thing that goes on, anyway. But it is said the administration has got to adjourn the Congress, and the Senator from Arkansas announced that it would not affect any of the appropriations in the deficiency bill, because, said he, the administration will take it out of the relief money, the \$4,800,000,000 already provided.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Kentucky?

Mr. LONG. I yield for a question.

Mr. BARKLEY. I wanted the Senator to yield for a correction. I think the Senator did not intend to misquote the Senator from Arkansas, who said that he had been told

that money might be available for some of the agencies provided for by the bill, but that he himself did not know from what fund they could be obtained.

Mr. LONG. That is all right. If he understands that they can get the money, it does not make any difference where they get the money if they get it. So it is all right; I do not mind. If the Senator knows the administration will get the money, then, that is all right.

Let me say further to the Senator that there was once a little battle at Lexington, Mass. The battle did not amount to much; it was a very small battle; but at that battle there was fired "the shot heard round the world", and it resulted in the freedom of this country. Also we have been told about other similar skirmishes that amounted to very little; but here is one of the most momentous affairs that have ever arisen in the history of this country. The Senate is about to decide tonight whether or not we have got legislative government. It is about time to decide it. We have got only one question before this body, and that is whether or not we will permit the administration to pass any bill that it wants, and, in order to do it, that it will be allowed to keep another House of Congress even from voting on something which it may or may not want. That body has the right to have this deficiency bill voted on, and the Congress then can get out.

Gentlemen of the Senate, do you know why the administration wants Congress out of here? It is because in the backwoods and out in the open spaces they are getting up in arms over what is being done to them in this Congress. They are tired of it; they are learning about what is happening here. The administration has got to get this Congress out of here tonight because tomorrow morning by 10 o'clock the wheat farmers will be getting their pitchforks and the cotton farmers will be getting their hoes and will begin to gather around and inquire; and the administration has got to get this Congress out of here so the farmers will know there is no need to get together, and so by tomorrow morning they will understand that they cannot do any good by demanding legislative government in this country. We have got to give them to understand that their cause is hopeless. That is why we have got to get Congress away from here. If it is not done, away up in the forks of Minnesota and away down in the panhandle of Texas there will be farmers who will get together tomorrow and telegraph their Representatives, "We demand, sirs, that our elected sponsors have a right to vote on whether or not we are to be protected."

That is why the administration wants to get Congress away from here. One of the best features of the situation is that it has indelibly fixed it in the minds of the people that the administration has kept the elected representatives of the people, Members of the other House of Congress, from having an opportunity to vote. I want it to be known from one end of the country to the other that this Congress will adjourn tonight over my protest; that I voted against adjournment, and that it was adjourned in order, and with the result that 435 elected Members of the other House of Congress might not be allowed to cast a vote on whether they would or would not give the wheat and cotton farmers what had been voted by a two-thirds majority of the United States Senate. I want it brought to attention that I am only making one demand, and that is that the Members of the Congress be given the right to vote.

I see my distinguished friend from Virginia [Mr. GLASS]. I should like him to consider for a moment whether or not he feels this is a matter of proper legislative procedure when one man in one House of Congress stalls the entire legislative machinery and prevents action by that body, and the Senate recedes because the other House cannot act. Is that the conception Virginia had of a republic—Virginia, the mother State of the Union? That is not the conception I have gotten from my reading of what was promulgated by that first of all States. One man in the lower House of Congress has said, evidently acting upon orders that he got somewhere else, or maybe acting on his own initiative—I do not know—

Mr. ASHURST. Mr. President—

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Arizona?

Mr. LONG. I yield.

Mr. ASHURST. The able Senator complains that one Member of another branch of Congress is preventing that body from doing what it wishes to do, but the able Senator is guilty of the very same vice here. One man in the Senate is preventing the Senate from doing what it wishes to do.

Mr. LONG. I am trying to prevent the Senate from going home.

Mr. ASHURST. The Senate wishes to go home.

Mr. LONG. I have nowhere to go. Where am I going to go? I have no place to go! [Laughter.]

Mr. ASHURST. I might whisper to the Senator where I should like to have him go.

Mr. LEWIS. Mr. President, would the able Senator from Louisiana like to have some Senator tell him where they would like him to go? [Laughter in the galleries.]

The VICE PRESIDENT. The Senator from Louisiana will suspend. The present occupant of the chair has not cleared the galleries since he has been Vice President, but he will do so unless the occupants of the galleries pay some heed to the rules of the Senate, which prohibit the occupants of the galleries from audible laughter or conversation or otherwise expressing their approval or disapproval of what is being said on the floor of the Senate.

We like to have you here as visitors, but in order that you may remain as our visitors you must observe the rules of the Senate. The Senator from Louisiana has the floor.

Mr. BORAH. Mr. President, does not the Chair think the rule might well be applied to the Senate also?

The VICE PRESIDENT. The Senator's suggestion is correct. The statement of the Chair applies to our visitors on the floor of the Senate as well as to Senators themselves. The Chair made no distinction intentionally.

Mr. LONG. Mr. President, in answer to my friend the Senator from Illinois first, and then I shall take the other Senator's question—the first shall be last and the last shall be first—as to whether or not I would be concerned in knowing where other Members of the Senate would like to have me go, I do not know, but I do know there is no good in sending me anywhere where there would be no improvement over my surroundings of the present moment.

As to the other question which has been asked—I forgot what the question was, but it does not make any difference. What is the principle at issue? My friend from Arizona, Mr. President, is probably the greatest student in this body. He studies too much sometime, though.

The Senate heard him on a recent Saturday deliver such an eloquent speech that his picture was printed on the front page of every newspaper and magazine, and his remarks were carried in extra-bold and large-sized type. The ordinary newspapers print their paper in 8-point type or a little bit smaller than 8-point type. The papers the following day after his speech printed the remarks of the Senator from Arizona in 10- or 12-point type, and printed his picture and made him nearly as good looking as he really is, and went on to say how the Senator from Arizona had shown that all the logic and all the things being advocated by the senior Senator from Louisiana were the turbulent kind of things and creatures that are washed up in storms at sea and hurricanes on the land.

Lo and behold, he had scarcely received all of that great amount of praise and publicity until about 2 days later the President of the United States sent a message here that the one thing to do was to redistribute the wealth of the country. It looked to me like the Senator from Arizona would never come back here again. I watched for him for 2 or 3 days to see what he would say.

That was a wonderful speech, absolutely obliterating all the logic of my argument from the face of the earth. I had pored over it for several days and it was so well studied and so carefully considered that I thought there would be no possibility of making any reply at all, when, lo and behold, the great gentleman in the White House saw fit to send a message

here, the effect of which was to say that the Senator from Arizona did not know what he was talking about.

That is the kind of unusual thing that happens to a man in this body when he disagrees with my logic. It is a dangerous thing to controvert my argument in this body. The Senator from Arizona will tell you that the White House will rise to my defense almost in a moment. I warn my colleagues against becoming involved in that kind of situation.

Getting back to the question before us, I want to be told if I am not correct in everything I say here. I wish to propose a unanimous-consent agreement. I shall not propose one, but I shall propose to propose one. If I propose anything here I would probably lose the floor. I realize I am treading on thin ice. I am going to be mighty careful the balance of the night, so I am not going to propose any unanimous-consent agreement, but I have one in mind that I might propose if I could propose it without being opposed in having the floor again.

Here is what I have in mind. Let us take the deficiency bill which came from the House, which had been amended by the Senate, and send it back to the House of Representatives. Let them vote on it as amended. If they vote to take off the cotton and wheat amendments, then come right back here with the bill and we will pass the bill and all go home. But let us send the bill over there and let the House vote on it.

I challenge all sides and beg all sides, the high, the mighty, the powerful, to let the House have a chance to vote. That is all I ask. Take this bill and send it back to the House, and I will risk whatever I may have said. I will withdraw the splendid speech I have made here tonight from the Record and never have it printed if you will send the bill to the House and let the House vote on this matter tonight. Send it over there and let the House vote. Let them vote. Who is afraid?

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Kentucky?

Mr. LONG. I yield for a question.

Mr. BARKLEY. Does not the Senator know the only opportunity the House would have to vote on the bill again would be for the Senate to vote on the motion now pending to reconsider the vote by which the Senate passed the bill, then vote on whatever subsequent motion may be made with reference to sending the bill back to the House in whatever shape the Senate sees fit to send it? Without that procedure there is no chance for the House to vote on anything more connected with the bill.

Mr. LONG. Of course, I am not going to charge the Senator anything for giving him some parliamentary advice, and here is the better way to do it.

Mr. BARKLEY. The better way to do it would be for the Senator to cease speaking.

Mr. LONG. The Senator is wrong. Mr. President, I must call the Senator to order and ask him to get permission of the Chair to interrupt.

The VICE PRESIDENT. The Senator from Kentucky has no right to interrupt the Senator from Louisiana without getting permission of the Chair, although—

Mr. BARKLEY. Mr. President, I have just obtained permission of the Chair, and it was in pursuance of the colloquy that I thought I had the right to interrupt the Senator further. I apologize both to the Chair and the Senator from Louisiana if I have transgressed the rule.

The VICE PRESIDENT. The Senator from Louisiana is invoking the rule which has not always been invoked or respected when he has sought to interrupt.

Mr. LONG. I ask you, Mr. President, to "forgive them; they know not what they do."

This is what ought to be done; here is the way to handle this matter: Let the Senator from Arkansas ask me to yield for the purpose of withdrawing his motion to reconsider the vote; then let the bill go back over to the House and be voted on.

We need not befool ourselves about what is happening in the United States. There is no need of drawing a false curtain around the Senate and refusing to know what everybody else knows. We know that it is no trouble at all to get the bill voted on. That is a small matter. Nobody need tell me that he does not understand how that can be accomplished. Why be foolish? We all know what the situation is. I do not care. The main point I have in mind is that if the legislative body elected by the people want to take the responsibility of voting one way or the other that is their funeral. That is not my funeral. I do not care who is the guiding influence over them.

I do not care what is the motive. It is not any of my business to inquire into the motives of men in the other House. If they are given the right to vote, that is all I ask; but once they are given the right to vote, I have no further quibble or quarrel. If you will give the House of Representatives the right to vote, I shall have no further quarrel or quibble. I shall have no further right to complain if they vote it up or vote it down; but do not come in here and say, "We are going to recede." Why? "We are going to recede because the House has not had a chance to vote on this matter."

Well, let the Senate stay in session until the House does have a chance to vote on it. If the House wants this thing to go to its committee, let it go to its committee. We can wait here until the committee has an opportunity to report. If they want a report from the committee or if the committee does not want to report, then the House can take the bill away from the committee and vote on it; but we all know, gentlemen of the Senate, that if the whole matter is put up to them the House will vote on this matter; and what I am saying here is in defense of a legislative system which has prevailed in this country ever since 1789. That has been the system of government here since 1789.

I am interested in the Democratic Party. I do not want the Democratic Party to commit an act of political suicide. I tell you, Mr. President, it is mighty hard to keep a man from committing suicide. Whenever a man sets out to destroy himself, it is a very difficult matter to persuade him not to do it; and when a political party sets out to destroy itself it is an awfully hard matter to convince it that it ought not to do it. Never in my lifetime have I seen so many deliberate acts committed, apparently with no purpose whatever in mind except to destroy a party, as have been committed by the Democratic Party since 1933. Never have I seen any such designs of self-destruction inflicted upon a party as the Democratic Party has inflicted upon itself.

You come in with the N. R. A. It fails. The Supreme Court knocks it out. What do you do? You turn around again and begin to mouth because the N. R. A. has been knocked out, with all the destruction it has done. Then you come in with the A. A. A. It is practically admitted by its sponsors to be a failure. Then we stick around with it and try to carry along with that kind of proposition. Time after time have we seen these so-called "emergency experiments" fail, fail flat, a complete blunder on our part for having ever enacted them, and nonetheless we profit at no time by the mistakes we have made. That is what we are up against here.

I remember one time when I had a lawsuit with a Jewish merchant, and we compromised the lawsuit. I said to him, "Here! I will give you \$125 if you will give me a receipt in full for this \$800 claim you have against my client." He said, "All right; I will agree. I will take the \$125." I said, "You will take my word for it, won't you, that I will give you the \$125? I am a reputable lawyer here at the bar. I have not the \$125 right now handy, but within a day or two I will mail you my check for the \$125." He said, "That is all right; I will take your word for it." A few moments later, however, he began to talk to himself on how my client had swindled him, he claimed, in one way or the other, and finally he said to me, "Here; you want to settle that thing for \$125. I don't know you as well as I thought I did. You are still representing that scoundrel. You go get me that \$125 now and bring it back."

I want to say this: If you want this deficiency bill by 12 o'clock tonight, if you are in such a big hurry that you have to have it by 12 o'clock or not have it at all, then you let the House of Representatives vote on the bill. If you want the bill as badly as you claim you want it, I say to this administration: You let the House of Representatives vote on the bill. Evidently things have come to a pretty sorry pass if you have a bill here that you just have to have; but you will not have it unless you can get it without letting the House of Representatives vote on it.

That is a nice presentment we are making here of a legislative situation. We have to have this thing right now. Oh, it has to come; but we do not have to have it so badly that we can stand to let the House and Senate stay here any longer, and we do not have to have it badly enough that we will allow the House of Representatives a right to vote.

That is the situation. No, sir. There is a very important principle involved here. If you do not think so, you wait until you hear from the people out yonder in the open spaces. I know how what I was saying was looked on by my colleagues here two and a half years ago. I know my colleagues here, who were my good friends, advised me that I was going to absolute political destruction when I began to fight things this administration began to bring in here in the month of March 1933. I did not wait for the popularity to pass out to begin to fight these things and vote against them. I began voting against them on the 5th day of March 1933.

I know I was advised by my friends as I went along that I was traveling the course of political destruction. Now, how has it come out? The only persons who are worried about how they are going to come out are the ones who voted against me so steadily. I am not worried. It will not affect me a bit. I have not even got an opponent down there yet.

Think of it! Four months from now they will have an election down there, and I have not even got an opponent. Why, I am fixing to go up here to Pennsylvania to spend a day or two with my kinfolks, and then go over in Oklahoma to visit around over there a few days. I am having a high-heeled old time. I am going over there to the good old land of Oklahoma, where I went to the university for 6 months, or 5 months, or such a matter. I am going over to Oklahoma, because it is wonderful country. It is the country that produced the junior Senator from that State, who sat here and voted—one out of seven—against plunging this country into the World War; and, if for no other reason, I owe a trip to Oklahoma that I am going to take over there this year.

I have plenty of time—nothing to do; the election 4 months off; just having a high-heeled good time, and nothing to do at all. That is why I want these gentlemen to stay here with me a few more days—nowhere to go; nothing to do. Where will I find such company as I have had here in the Senate if they adjourn now—where?

There may be such talent elsewhere, but I know of none such to be found; not in my young life. It is a little bit early. The football season does not begin until the 28th day of September. I have a whole month. I should like to see the Senate stay in session until the football season starts, if it could be done; so let us stay here, if this is necessary. Why be in a hurry until these important matters come along?

When the important season arrives, then it is time enough to talk about getting out of Washington in such a hurry. But in the meantime, remember that I have friends in the House of Representatives, some friends and some enemies. I feel kind of like my old friend in Dodson, La., who joined the Baptist Church in a protracted summer meeting. The poor old man was kind of half-way kin of mine. He is dead now, poor old soul, and I know he has gone to his reward, and a good one. His name was Uncle Adam Andrews. He was converted there and joined the church about August, about this time of the year, and he was up before the congregation. The preacher said to him, "Uncle Adam, do you love all your neighbors?"

He said, "Yes, sir."

"Do you forgive all your neighbors everything they have done to you?"

He said, "I do. I love everybody. I love every neighbor I have. I love everybody."

About that time his son walked down the middle aisle, and Uncle Adam said, "Nearly everybody."

Well, Mr. President, I love nearly everybody over in the House of Representatives. I think a lot of them, a lot of nearly everybody over there. There are a few over there I should like to see out; but at that, taking them as a whole, they are pretty good fellows, all 435 of them.

Now, an old friend of mine, the Speaker over there, says the House has just as good a Membership as he has ever seen; and if that is the case, I would just as soon see the 435 looked on in a good light as any other, if my friend the Speaker knows what he is talking about.

But I do not want to go back to the people and say that I joined with the national administration of the Democratic Party at this particular time to scalp that body from having the right to pass upon legislation. Is this the right thing for me to do, when I found out that there was a Member over in that body who for some reason, I care not what—do I want to say, as the newspapers did, that the President of the United States did not want the House to vote? Then do I want to say that I gave my arm to that effort, to see that those 435 men were scalped of their prerogatives as legislators in this country? That is why I am undertaking to have the Senate draw its mind's eye tonight to this matter. That is what I am undertaking to do.

Many men who formerly sat in the House of Representatives now serve with distinction in the Senate of the United States, and in undertaking to take from the Members of the House prerogatives they have, the right to vote, I say the Senate of the United States is going a long way.

Let us get back to the merits of the matter. I want the Senate to understand that while there may have been times when I have been charged with having filibustered in this body, no one will allege that I am doing so tonight. I am speaking on the pending question. I am speaking on a momentous question, which can hardly be discussed in a day's time in full, and I believe I am gaining converts as I go along.

At first there were several men in this body who did not seem to appreciate that what the Senate was being called upon to do was to adjourn the Congress in order to keep the House from voting, but as Members of this body are listening to this speech and to my logic, I can see that a change is about to occur in the body, and that there is going to be a size-up of the situation if I continue here and I get the ears of the Members of this body.

There are more Members here now listening to me than have listened to me at any time during the whole year. Right now there are more Members of this body listening to me than have listened to me during the whole year since I have been speaking here, one of the largest attendances on this floor that I have ever had.

The Members of the House who have been hearing about this important matter being discussed over here are coming to the floor of the Senate and are beginning to think, these men with fine-looking countenances, who line the walls here tonight. I am looking them over. Every one of them is a fine looking man, everyone of them—as fine a set of men as I have ever seen—from their looks. Of course, I have not investigated them, and do not intend to inquire about anything but their public conduct, and not much about that.

Are you going to humiliate these 435 gentlemen? Well, there are 430, I believe; there are five or six lady Members. I want to tell you I will stake my reputation that if this thing is left to the House tonight the House will concur in the Senate amendments. I am willing to stake whatever little reputation I have ever earned, whatever I have ever been known for, I am willing to stake it all, that if you will send this bill back to the House and let the Members of the House vote on it, they will concur in the amendments of the United States Senate on the deficiency bill.

Why ask me to do more than that? Why would anyone ask me to do more than that? Some one might ask me to do something about the matter. Why ask more than that? I have only asked that the House have a right to vote, that is all.

I am not supposed to be talking to the Members of the House, and I am not; but after they listen to me addressing the Members of this body I want the Members of the House to go back on the stump and say to their people, "I was a witness to a Senator from the great State of Louisiana, I was a witness to a fight made by a Senator from Louisiana to give the House of Representatives the right to vote."

The only Senators standing here tonight asking that the Members of the House of Representatives be given the right to vote are the senior Senator from the State of Louisiana and the other friends whom I have with me, who have upheld our stand in this situation all the way through. We are the only ones left here asking for it.

I know, gentlemen of the Senate, that we make many mistakes for the sake of the party, and it is good that we should at times. Sacrifices in the name of the Democratic Party are great things. It is great to give one's life for the country, but it is still greater to give one's life for the party, provided you give the right kind of life.

I am willing that the Members of the United States Senate should give their political lives. They have that right; it is theirs; and if they want to give their political lives tonight, I am willing that they should do so. But I am not willing for them to sacrifice the lives of 435 innocent Members of the other House of Congress. I am not willing for the political existence of 435 innocent Representatives to be snuffed out without a right to resist. That is the situation to which I address myself tonight.

Ah, believe me, I know something about these boys; what kind of trouble they have when they run for Congress. Every school teacher, and every district attorney, and every judge, and every country merchant, and every Fourth of July orator in the congressional district has his eyes on Congress. There may be many a man in Congress who does not think he has an opponent, but he has just as many opponents as there are people in his district who have heard about Congress.

They have their eyes peeled on the Capitol Dome, which is lighted up by the electric lights at night, and which reflects the sunlight in the daytime. They have all heard about Pennsylvania Avenue, do not forget that. They would not think so much of it after they got here as they think of it before they get here, but everyone has his eyes on Pennsylvania Avenue.

Mr. ROBINSON. Mr. President, will the Senator yield to me to suggest the absence of a quorum?

Mr. LONG. A parliamentary inquiry.

The PRESIDING OFFICER (Mr. HAYDEN in the chair). The Senator will state it.

Mr. LONG. Will this take me off the floor?

Mr. ROBINSON. Of course it will not.

The PRESIDING OFFICER. It will not take the Senator off the floor.

Mr. LONG. Very well.

Mr. ROBINSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Copeland	La Follette	Schall
Ashurst	Costigan	Lewis	Schwellenbach
Austin	Davis	Logan	Sheppard
Bachman	Dickinson	Loneragan	Shipstead
Bailey	Fletcher	Long	Smith
Barkley	Frazier	McAdoo	Steiwer
Black	George	McCarran	Thomas, Okla.
Bone	Gerry	McGill	Thomas, Utah
Borah	Gibson	McKellar	Townsend
Brown	Glass	Maloney	Trammell
Bulkley	Gore	Minton	Truman
Bulow	Guffey	Murray	Tydings
Burke	Hale	Norbeck	Wagner
Byrd	Harrison	Norris	Walsh
Byrnes	Hatch	O'Mahoney	Wheeler
Capper	Hayden	Pittman	White
Caraway	Holt	Radcliffe	
Chavez	Johnson	Robinson	
Clark	King	Russell	

The VICE PRESIDENT. Seventy-three Senators have answered to their names. A quorum is present. The Senator from Louisiana has the floor.

Mr. LONG. Mr. President, for the last 18 months or longer there has been a cry in the United States, which I do not assert of my own knowledge, that the Members of the Congress were largely controlled by the lash and whip of the Executive. I do not make that statement, but, as we all know, that statement is made every day. It was said that the Members of the Congress were voted under the lash and whip of the Executive.

Today what do the people say? Tomorrow they will say, "No longer is Congress voted by the Executive, but he refuses to let the Congress vote." How can any Member of the Senate go out and allow that to be said? It has been said that the Congress was voted under the lash and whip of the Executive, and now it will be said that the Executive will not let the Congress vote at all. Instead of having it said that the Executive compelled the Congress to vote, it will be said that the Congress was not even allowed to vote. Whether that is right or whether it is wrong I do not undertake to say, but that is the proposition today.

If this bill shall be sent to conference I will have no objection and I shall have nothing further to say. If the House of Representatives shall be allowed to vote on the bill I will have no objection and nothing further to say. But we are told that the wheat farmers and the cotton farmers of the country may have a majority of Congress wanting to do a certain thing for them, and that the wheat farmers can be turned out of the door altogether and the cotton farmers two-thirds of the way out of the door, and do it by a process that keeps them from even having the right to a vote in one branch of the Congress. That is the issue which faces the American people tonight. Am I afraid to have it said to the people of Louisiana that that is my stand? Not "on your tintype", not by any means at all, not in the slightest. It may be the belief of some of the 96 Members here, I do not know how many, that the time has come when we had better yield, sit down and quit. That is all they have to do to win. They do not care how long and how hard you talk if you quit when the time comes and if they win. They do not care as long as you quit, but when you do not quit it is a different proposition.

If they want to quit, let them quit. If they want to fuss, let them fuss. If they want a Government under which the Members of one House cannot vote, I want a Government under which the Members of the House can vote. I stand by the consequences until I shall bring this matter sufficiently to the attention of the Members of this body that they will stand with me for what seems to be a responsible Government.

How was this bill handled according to the RECORD? When the bill got over to the House the other night I had somebody watch it. I said, "Watch this bill. The rumors are around here that they are not going to allow the House Members to vote on it." I heard the rumor and heard conversations around here before we voted on the bill that there was a way to keep the Members of the House from voting or reaching a vote on it. Before we had even got the bill voted, when we had voted to suspend the rules by a two-thirds majority vote, it was said all around here that there was a way by which they could keep the Members of the House from having the right to vote on the bill.

How did they finally do that? I have the RECORD here in my hand. I can read it from the CONGRESSIONAL RECORD.

This bill got over to the House. The House did not vote on anything. The Speaker of the House under the rules of the House referred the bill to the committee. Mr. BUCHANAN, I believe, is chairman of the committee to which the bill was referred. I have the CONGRESSIONAL RECORD here containing the proceedings of the House. Let us look at the RECORD and see what occurred. Here it is: Mr. BUCHANAN, Mr. RANKIN, Mr. WOODRUM, then the Clerk read, then certain amendments were sent forward, then Mr. WOODRUM said:

I desire to be heard briefly.

Then the Speaker said:

That is the point on which the Chair desires to hear the gentleman.

Then Mr. RANKIN said something and then Mr. BUCHANAN:

Does not the gentleman understand that when that bill came back from the Senate, carrying \$500,000,000, * * * the rules provide that the bill should be referred to the Committee on Appropriations, in order that they might investigate those amendments and report on them, and not be required in 3 or 4 minutes or 3 or 4 hours to pass upon that vast amount of appropriation to see whether it is justified or not?

According to him, as interpreted by the Speaker when this bill went over to the House, it was ipso facto referred to the Committee on Appropriations, of which Mr. BUCHANAN is chairman.

Whether I choose to ask unanimous consent to take that bill from the Speaker's table is a privilege that I have, and I knew that unanimous consent would not be granted.

In other words, he said, "Only I have the right to take up that bill, and I am not going to do it, and therefore this thing is going to my committee."

All right. Then they had a little more talk:

The SPEAKER. The Chair is ready to rule. The rules of the House and all of the precedents of the House provide just what should be done when a bill has been returned to the House with Senate amendments. Under the established precedents the bill must be referred to a standing committee, unless unanimous consent has been obtained to send the bill to conference or a special rule has been reported.

Now, mind you, the very same day this bill went back there, when the Speaker said that a special rule could have allowed it to be heard by the House, they had up a ship-subsidy bill there, giving some money to Mr. Vincent Astor and Kermit Roosevelt and Mr. Franklin, giving still more money to these men who put up \$500 and drew down \$6,900,000 out of Government subsidies, on \$500, and one of them put up \$110,000 on a promise, and drew down, I think, \$4,900,000 in profits from Government subsidies, not including \$2,100,000 that he charged off. They got a rule that day for that. Oh, that is a rule!

Here are two things that came into the House at the same time, the same day, the same way. One of them was to give 30 or 40 million dollars of the people's money to illegal, grafting subsidies that even Jim Farley said were fraudulent and irregular. Even Farley said they were no good.

They had the report of the Postmaster General, Jim Farley himself, saying that those contracts, out of which they had filched from the United States Government \$6,900,000 on a \$500 investment, and four million and some hundred thousand dollars on a promise of \$110,000, were illegal and fraudulent. The committee of which Mr. Hugo BLACK was chairman came into the United States Senate and reported that the contracts were fraudulent and crooked and rotten. When the bill went over to the House of Representatives, by a two-thirds vote they refused to suspend the rule, and word came from the White House, "Hurry! Get a rule. Provide immediately to vote on the ship subsidy that is about to be canceled"; and, lo and behold, out came Mr. O'Connor, and said:

Mr. Speaker, this is a matter which was considered today under suspension of the rules but failed of passage. It is a matter about which there was some confusion. It is a very simple matter and has nothing to do with ship subsidies. It merely extends the time within which the President can determine whether or not to cancel or modify the contracts. The President has before him this important situation: Many of these contracts will expire between October of this year and January of next year. I am authorized to say that the President feels he needs this authority.

Mr. Speaker, I move the previous question on the resolution.

Oh, Vincent is the boy who has the *Nourmahal*. Oh, he wants to go out on a fishing trip with Congress balked, and not allowed to vote on that bill! Why, he proceeded to knock the rule right out, and they put it through, and Vincent Astor went right out on the open sea with another contract in his pocket. Yes, sir!—and Mr. O'CONNOR was ordered by the White House to bring out the rule.

Ah, how wonderful it is to have a ship subsidy, and to have a yacht. Oh, my! But they came in there at the same

time with a bill that gave the poor cotton farmer \$100 for a year's work—\$100 for a year's work—and that gave the poor old wheat farmer about 50 cents on the dollar for what he had been making on wheat. Did they get a rule? No! They backed up the United States Senate. They turned the clock back. They choked it down our throats. They ordered us to adjourn and get away from here, because we were about to interfere with this Government money, and there would not be enough to pay Vincent Astor by the time we got back the next time.

Oh, no! Fish for one and gourd seed for the other. Give them a little gourd juice. That is what this treatment is.

Well, it will not be long until 12 o'clock, and I shall be here. Remember that. Whenever you think the Congress of the United States is going to be perverted into an institution by which it can be commanded from the outside, and that you will pass any kind of a rule or regulation or whatever may be necessary, even when Congress has voted adversely on ship subsidies, but in the same breath that you will not only back up Congress but that you will back up the Senate and make it reverse itself in order to keep the House from even having the right to vote on whether or not the farmer is entitled to something, we will see about that thing; yes, sir.

Now, send word down to Louisiana and tell them I blew this thing up. Get me out an opponent down there. They have not got one out yet. Get one out. Let us have him. Let us see the color of his eyes. It is not long. We will try this thing out if you think I am afraid of it. No, sir! I will read these things. I will rock the "dad-gummed" thing from coast to coast when I get through. I will rock that thing so that you will hear it from one end of the country to the other. They had better let me alone down there with this thing, believe me! It is a good thing to let somebody alone with this kind of stuff going on.

Ship subsidy! Take care, my boys; you are liable to want to go out yourselves sometime. They are liable to take me out before the summer is over. I might go, for all I know. Why should not I have something to do with this thing with the Government paying out the money? Why should not I have a trip? It is a great system of government we have here—equality before the law!

I am astounded at some of my colleagues here. I am astounded that they will sit here in the United States Senate and permit this example to be made of the Congress of the United States tonight. I am astounded that they will allow a ship-subsidy contract to compel a suspension of the rules, when the House has voted adversely, for an outfit that has been pronounced to be a damnable fraud against this country by a committee of the United States Senate, and by the Postmaster General himself, and then at the same time they say that they will allow the same House of Congress to be defrauded of the right to have a vote. Go tell the people of the United States what it is all about. They are going to know what it is all about. I looked into those ship-subsidy contracts. I want to tell you something about them. I want you to know about them. It is a nice page to be read here into the RECORD.

My good friend from New York [Mr. COPELAND] looks around as though he wants to take issue with me, but he will not get a chance to reply tonight. You know, Mr. President, there is only one kind of man that is better than an honest and a truthful man, and that is the man who will take the slurs for his friends and his party; a man who will sit by and let them pour the oil on him until he can hardly stand it, and nonetheless he will rise up through all the slime, shake his head, and say, "I think we ought to vote it", in order to save his party and his friends. He is the only kind of man who is better than an honest man or better than a truthful man.

I want to tell you, I have seen some of my friends show caliber and virtue that I never shall be able to rise to. They not only rose to principle but they rose above principle, and they did it most magnificently. I will not say who they were, but there have been some terrible blows. I am going to give you my picture of the situation, and then let you give your own view and your own title to it.

As to this International Mercantile Marine business—the I. M. M. and the Dollar Line and the whole caboodle of them—I stood on the Senate floor over a year ago and told what was happening about them. There were being appropriated sums of money so unconscionably large that no one thought the Government would tolerate them even for half a minute.

I will tell what they did. They entered into an agreement, divided up the mail contracts, and by fixing prices, they were going to get their mail contracts. That is not a matter that is denied; it is a matter which is not only in writing, but they swore on the stand in the Black investigation that by collusion they had arranged the bargain, and that they had set the price. So far did they go that after they had let most of them in, they said, "We left out the United Fruit Co., and they have a liner over here, and we are liable to have trouble if we do not put the United Fruit Co. in for a little of this money." Whereupon one of them said, "We can draw the specifications with a certain route, fixing the length of the ship and the height of the ship and the term of service it has to run so that the United Fruit Co. will be the only one that can bid on that certain route, and they will get a piece of the change"; and that was done.

In my figures before I made a mistake, and I correct it. It is not very significant, however. One company obligated itself, it claimed; it did not obligate itself to any such thing, but it claimed it did, and let us take its claim for what it is worth. It claimed they would spend \$110,000 getting itself fitted out for the business. Another company invested \$500, and one of the men incorporating the company gave his note to the company for \$499,000 and \$500 more.

What did those two companies do? The man who gave his note for the \$499,000, to himself, paid off his own note, depreciated the property he bought by \$2,100,000, and had \$4,900,000 left, from subsidies, in profits, above all expenses.

The man who put up the \$110,000—he did not put it up, he claimed it was obligated to do it, he never put up anything to amount to anything—kicked in, and he made, after all depreciation and costs, six and a half million dollars.

Mr. President, that is just part of it; that does not half-tell the story. I have not all the figures, I cannot carry them all in my head, I remember only those I am stating. What did we prove? It developed that these contracts had been let under the Hoover administration, but we found in the files of those steamship companies and in the files of their lobbyists and their lawyers memoranda reading like this:

We are at work to see that the men in charge of the Shipping Board are kept by the Democratic Party long enough to confirm these subsidies we have been granted, and we are at work on them.

There was in the files of one of these men a telegram, with a memorandum, supposed to come from Kermit Roosevelt, as follows:

Mr. Vincent Astor and I have the party in charge on the *Nourmahal*, and everything is going to be all right. Nothing to worry about.

What happened? They were trying to keep Admiral Cone as head of the Shipping Board, and they did, and they kept in existence these illegal contracts, which they got through fraud and collusion. They drew the money by the millions of dollars, and, notwithstanding the fact that the Postmaster General said they were fraudulent and crooked and rotten, notwithstanding the fact that Senator BLACK and his committee said they were crooked and fraudulent and rotten, the rules were suspended in the House of Representatives on last Saturday in order to continue those contracts in existence, when they could not get it done otherwise. They brought in a special rule, and before they brought in that rule, they had already sent this bill over there to give the wheat and the cotton farmers these allowances. They brought in a rule and brought up the ship-subsidy measure after it had been voted down, and they would not allow the House to vote on the other matter at all, and brought no rule in.

Mr. President, that is government for you. If I have to be a party to that sort of thing in order to keep a seat in the United States Senate, then the Senate seat costs too

much. I spent more to be elected to the United States Senate than I ever thought I would have to spend. My friends and myself had to put up around \$30,000—lots of money. I would not have had to spend a cent, if I had just known it, but I was told by my opponents they had spent somewhere near a million dollars against me. I was down in Louisiana being lured by this ship-subsidy propaganda, being told that it was a great thing for the United States, and they got me to sign wires to Washington along about the time they were pulling off these things. They would write out a wire and I would sign it, as Governor of my State, and lo and behold, at the very time I was signing those wires, the Black committee dug up checks which they were sending back to the campaign committee with which to beat me for the United States Senate.

At the very time I was signing the wires asking the Government to give them a break, they were sending the money back just as fast as they got it in order to beat me for the Senate. [Laughter.] Anyone that smart is entitled to be taken care of; and they were.

They tried to suspend the rule in the House. They voted against suspending the rule, whereupon Mr. O'CONNOR came out and Mr. O'CONNOR said, "Mr. Speaker, I am advised by the White House they want this rule, and here it is, here is the thing"; and it just went over in the twinkling of an eye. The White House wanted it.

I do not go over there, but I am just the same as over there, and I say to them, "Here we are, representing the wheat farmers of the United States and representing the cotton farmers of the United States. We only ask that you let the House vote on whether or not these destitute cotton farmers and wheat farmers shall be allowed the mere pitiful subsistence that we have granted them in the United States Senate."

What do they say? "Oh, no, we are not going to let the House vote on that." They said they were not going to let the House vote. We revoked our resolution to adjourn, and what do we do tonight? We come in and say, "Withdraw the House amendment, and then we will let the House vote."

How are you going to let the House vote if you do not let the House vote on it, amended as it is? Are you going to let them vote on it if they take it over there without those amendments? Is not that a marvelous thing, gentlemen of the Senate, for these House Members to hear? We will let the House vote on this bill if you will take off the wheat and cotton amendment, but we will not let the House vote on the bill unless you take off the amendment.

Members of the Houses of Congress, think of it. Think of what is before this body tonight. We will let the Members of the House vote on the deficiency bill only provided the Senate takes off all the relief that has been given to the farmers raising wheat and cotton, but if you leave cotton and wheat in this bill we will not let the House vote on the bill. We will adjourn the Congress of the United States before we will let the House vote on it.

Put your heads in the sand and weep, weep, weep. It is time to weep, it is time to weep whenever the time comes that it is said to the United States Senate: "Here is a bill. You have an amendment on it. Take the amendment off and the House will be allowed to vote on it tonight, but unless you take the amendment off, we will not let the House vote on it, and we will adjourn the Congress of the United States."

It is time to weep, I tell you, gentlemen of the Senate. I tell you, I tell you the world, it is time to weep, it is time to weep.

Think of it! Do you call this government? The House is not allowed to vote unless there is stricken from the bill the crop-loan amendment and the House is denied the right to do what it wants to do for the farmers of the United States. "Why, Mr. Speaker", or "Mr. BUCHANAN", or somebody like that, we might say, "How about the ship subsidy? The House voted on that and voted 'no.'" "Yes, it did." "Well, then, you brought a rule up." "Yes." "You brought a rule up saying that if the House did not vote right it should be made to vote right." But now the House Members

are not permitted to vote on this bill unless the part of the bill which says the farmers can have some money on wheat and cotton is taken off.

Then I would say, if I had such a conversation—and I am now imagining that I have such a conversation—"You do not mean that you would let the House vote on the bill one way? Let the House take off the amendment if it wants to." But no, the House will not take off the amendment, and that is why they are not going to let the House vote on it, because the House will not take off the amendment.

Stand and deliver! Stand and deliver! Congress will not only be dominated, but will not even be allowed to prove that it is dominated. That is the situation. Gentlemen of the Senate, I tremble for the sake of the Republic. I tremble for the sake of law and order in civil government when we are faced with such monstrous possibilities.

Oh, we hide this thing in the nighttime. Here in the dead and dark hours of this night we undertake in the dark recesses of the Capitol to hide what is going on here in the Capital City tonight. Ah, Mr. President, on last Saturday night as I undertook to find some of the worthy gentlemen who were in charge of the destiny of this legislation—as I would undertake to approach one of them he would go around one post, and another one would go around another post, and I would dart into this alley, but he would go out some other way and I could not catch up to them. I was not even allowed to look the men in the face. I do not say there was a conspiracy. I do not say anything of the kind. I deny having said that. But what is to keep me from quoting a few lines from Shakespeare? [Laughter.]

* * * O conspiracy,
Shamest thou to show thy dangerous brow by night,
When evils are most free? O, then by day
Where wilt thou find a cavern dark enough
To mask thy monstrous visage? Seek none, conspiracy;
Hide it in smiles and affability.

And so it is the Congress is sent away, and, laughing and gleeful and mirthful, Vincent takes the *Nourmahal* out, and sends word to the Duke and Duchess of Kent, "I will be out on the briny deep shortly. Everything is hunky-dory now. Everything is rosy now. I am looking at the world through rose-colored glasses." The 435 dumbbells who threatened to do something for the farmers of the United States have been sent home. [Laughter.]

O Mr. President, that is how we got everything going. Yes, sir. I am pleading for the lives of those 435 innocent victims of this performance.

God help them when the next election comes around. What will be done to them? Some of those men are my friends. Some of those men I have campaigned for day in and day out. Through the long and dark hours of the night I have worked and fought for them, thinking of the time when they could go and serve a long and honorable career, and then when they have reached the declining years of life that they might sit in front of the fireplace, watching the fire glow, and say to their children and their grandchildren, "Your father and your grandfather were once honorable Members of the Congress of the United States. Those laws are a part of my handiwork", and thus and so.

On the contrary, those same children, who have been taught to read and write, as they are taught in Louisiana—they are given a free schoolbook out of which to learn, and a free school to go to, and a free bus in which to ride, in Louisiana—those children will say, "Oh no, look here. As we read these lines, as you sat in the Congress they permitted you to vote on a ship subsidy and you voted wrong. They made you vote again under instructions to vote another way, but again they declined to allow you even the right to vote."

The VICE PRESIDENT. The Chair has not called the Senator to order for some 15 or 20 minutes, thinking his dramatic second act, or third act—whatever it is—would probably come to an end; but the Chair will say to the Senator that, under the rules of the Senate, a Senator cannot talk about the House of Representatives or the Members of the House as individuals. The Chair has heard the Senator

talk about the House of Representatives now for the last half hour, and the Senator has mentioned the names of three different Members of that House. The Chair wishes to call the Senator to order in that particular.

Mr. LONG. All right, Mr. President.

The VICE PRESIDENT. The Chair hopes the Senator will not violate the rule of the Senate in that particular.

Mr. LONG. All right; then I will not say anything more about the House.

Mr. SCHWELLENBACH. A point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. SCHWELLENBACH. My point of order is that under rule IX a Senator who transgresses the rules of the Senate must take his seat until given the opportunity to speak by the Chair.

The VICE PRESIDENT. The Chair has called the Senator to order only for the purpose of calling his attention to the fact that he has been violating the rules of the Senate for the last 30 or 40 minutes; but he seems to be putting forth a dramatic effort, and the Chair wanted him to get through with it before he called his attention to his violation of the rules.

Mr. LONG. All right, Mr. President.

I previously had mentioned to the Senate that I was quoting from the RECORD of the House, as my colleagues have been quoting all day. Now I will desist. What I have been saying has been said by my colleagues on the floor for 2 days. But I shall now forget, from this time on, that there is a House. I shall forget in my future remarks that there is such a body. If, perchance, I should make mention of another body, a body other than the one in which I am immediately speaking, I do not mean the House. [Laughter.] I have forgotten the House. The Senate must forget the House for the purpose of my remarks. I warn the Senate that henceforth in all of my remarks Senators must not consider that I am considering or even thinking of the House, or that there is a House, or even if there was a House, so far as I am concerned, that is over with. [Laughter.] I have quit that.

I have obeyed the rules and admonitions of the Vice President. And no longer, henceforth, will I disturb the troubled minds of the Senate or of the people of the United States with anything which occurred in the House. Never again will I say that. I do not know that I will even say it outside of the Senate either. I think when I leave here I will also say to the people, "I want to get accustomed to the rules of the Senate and, therefore, I decline to discuss the House with you." [Laughter.]

Let us now get down to more serious business. Let us discuss the merits of the question. I am soon getting to the point where I shall not have anything to talk about. It is getting to the point where one is limited as one stands here, and one cannot talk about this, and he cannot talk about that, and the aisle is getting very narrow, and the conversation that can be indulged in is pretty well limited.

I have never yet undertaken to place anything except the merits of the matter before the Senate. That is all I intend to do tonight.

Let us now go back to the issues of this case as they are best understood. It is now 9 o'clock. I have not talked here long today. For all I know this might be my swan song. I come back to where I previously was. What I intended to say many hours ago I shall now speak of. I will go back to my people in Louisiana, and I will say to them, "My platform is this: No. 1. That this Government is divided into three parts—the executive, the judicial, and the legislative. In theory they are supposed to be three separate parts. That is the theory of our law.

Suppose I get elected to the Senate, and suppose I keep running after I am elected? I shall say to them, "As long as I am your servant I shall defend the system of republican government." I shall not say, as I contended in my State many times, that a Governor has no right to suggest to a legislature what it ought to do. I have never been one to believe that. I have never taken the position that a Gov-

ernor or an executive does not have the right to make recommendations to a legislative body. There are some who take the position, and there are some States which have taken the position that executives, such as the Governor of a State and the President of the United States, kings and emperors of foreign countries, have no right to dictate, to suggest to a legislative body what it ought to do. I am not one of those persons. Under our republican form of government, it is generally understood that a Governor has the right to lay out a program, to make recommendations, to make suggestions, to counsel with the members of the house, to counsel with them in personam or to counsel with them collectively, as the case may be.

I am one of those who believe in that system of government. While I was Governor of Louisiana for 4 years—and there are about 15 of the Members of this body who have been Governors—there were times when I have made recommendations to the legislature. Frequently, every now and then, I would recommend to the legislature of that State something I would think would be good or something I did not think they ought to do.

That is not only the right of the President and of a Governor of a State but it is the right of the humble citizens. Since I have become a humble citizen of my State I have not hesitated to make public expression on laws which I thought ought to be enacted and with reference to laws which I thought ought not to be enacted. But, as Voltaire said:

Though I disagree with what you say, I defend until the last your right to say it.

I must have quoted that correctly because the Senator from Illinois [Mr. Lewis] maintained a very calm expression when I finished the quotation. I have ways of telling whether I am right or wrong in my quotations. As I quote I watch my friend from Illinois. I have learned how to decipher his countenance. Without making a single motion to me I can tell whether or not I have quoted correctly. For instance, I was giving a historical reminiscence about the sacred geese the other day. I have a friend back here from Tennessee, the junior Senator from Tennessee [Mr. BACHMAN], who had never heard of the logic of the sacred geese, but on reassurance from the Senator from Illinois that I was correct he subsided and ceased any further colloquy with me more or less under cover.

I am one of those who maintain the constitutional prerogative that every man has a right to be heard and every man has a right to speak. I do not know but that the Congress of the United States might not well sometime take a recommendation of the President or even of a newspaper or even of one of its own Members or of some outside man, whether he was or was not of influence.

I wish to place myself on record as saying that I am not one of those with the narrow idea that Congress should be confined in its activities to receiving no outside advice or outside information. But in my discussion before my people on State matters and on National matters—Ah, there is my friend from Tennessee. I thought he had gone.

Mr. BACHMAN. Mr. President—

Mr. LONG. I yield to the Senator for a question.

Mr. BACHMAN. The statement I made with reference to the Senator's reference to the sacred geese was that I had killed thousands of geese in Louisiana, but that I had missed one.

Mr. LONG. I believe that is right.

Mr. President, as I shall say to my people, my idea of a republican form of government is that whenever the time comes that the elected representatives of the sovereign people refuse to assemble within a reasonable time to pass upon laws about to be enacted, or under the laws and orders governing matters, or when any force or circumstance is exerted either by direction or indirection which prevents the legislative body of a State or of any other sovereignty from exercising those prerogatives, it ceases to be a republic. That is my view of the matter.

Mr. BONE. Mr. President, will the Senator yield while I submit a parliamentary inquiry to the Chair?

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Washington for that purpose?

Mr. LONG. I yield for that purpose.

Mr. BONE. I have no desire to take the Senator off the floor, but I should like to have the Chair advise me whether I am correct in assuming that our failure tonight to pass the bill will leave the Railroad Retirement Act a nullity by reason of lack of funds to execute it, and whether or not it is possible for the President to provide funds to carry out the provisions of that law which we enacted in behalf of the railway men and to provide funds for carrying out the provisions of the social-security law which are carried in this bill. If the Chair is unable to answer and the Senator from Louisiana will permit, I should like to have some Senator answer the question.

The PRESIDENT pro tempore. The Chair is unable to answer the question.

Mr. LONG. I will answer the Senator. I can give the Senator the information he wants.

Mr. BONE. I suspect the Senator possesses a fund of information, and if he can supply the information I shall be glad to have it.

Mr. LONG. I shall be glad to do it. There is no one to whom I would rather give information than my friend, the Senator from Washington, because he has a facile mind and will quickly understand and grasp the significance of what I say.

I may say to the Senator from Washington that the President of the United States has \$4,800,000,000 which he can devote to the purposes covered by the deficiency bill, and some other funds which are not being used, amounting to \$1,500,000,000, which he can use for those purposes, and declarations to that effect or similar effect have been made on the floor.

Mr. ROBINSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Arkansas?

Mr. LONG. I yield for a question, because I do not want to lose the floor.

Mr. ROBINSON. Does the Senator realize that in condemning others for not permitting another body to take a vote on certain provisions in the deficiency appropriation bill, he engages in a glaring inconsistency when he takes the floor and filibusters to prevent the body of which he is a Member, the United States Senate, from registering its will on a very important piece of legislation?

Mr. LONG. I shall be glad to answer the question. If I should be permitted to read the RECORD, I could answer it a little more carefully.

Mr. ROBINSON. The Senator can answer the question "yes" or "no."

Mr. LONG. Oh, yes; I could answer it that way, but the trouble is that the Presiding Officer previous to the one now occupying the chair has ruled that even the remark of the Senator from Arkansas and his question are out of order. The Senator was not here at the time. The ruling was that I could not mention the House nor anyone in the House or anything done in the House.

Mr. ROBINSON. The Senator from Arkansas has not mentioned the House.

Mr. LONG. The Senator from Arkansas did mention that I was not obeying the rule in that I was mentioning things done in another branch.

Mr. ROBINSON. No; in another "body", which is entirely within the parliamentary law.

Mr. LONG. I thank the Senator for instructing me.

Mr. ROBINSON. The Senator, I think, by evading a direct answer to the question, admits that he is doing the inconsistent thing which he charges others with doing.

Mr. LONG. No; the Senator—

Mr. ROBINSON. How can the Senator justify himself in wasting the time of the Senate by a prolonged speech, designed for the sole purpose of denying to the Senate the opportunity of registering its will? Is it not true that he is doing the very thing he condemns?

Mr. LONG. No. I want to answer the Senator. He has asked me a question, and I will not yield further, because I wish to answer the question.

Mr. ROBINSON. Oh, yes; the Senator will certainly yield.

Mr. LONG. Not until I have answered the question. I want to answer the question.

The Senator from Arkansas was on the floor of the Senate August 24, Saturday night, and I am reading from his remarks. The Senator said this at page 14518:

Mr. ROBINSON. No; no formal message. The fact is that no action has been taken on the bill since it was returned to the House, and no action is contemplated unless it be to refer the bill to a committee.

The Senate would have no official information of such action unless the House saw fit to send a message, which, seemingly, it does not intend to do.

I am offering no ground of offense to the other body. I am simply apprising the Senate of the situation in order that the Senate may take such action as it sees fit to take. If we wait for a message from the House of Representatives on the subject the hour of adjournment will arrive, and we will have adjourned without any action being taken on the bill.

I think I ought to add that it is my information that the officials charged with the administration of the several measures mentioned by the Senator from South Carolina will not be prevented from functioning. My information is that means will be found to carry on the activities authorized under those various measures. Details as to how that is to be done I cannot state, because I do not know them.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question within my parliamentary rights.

Mr. ROBINSON. Since that statement was made—which was entirely correct and is correct—it is my information that the Comptroller General, who passes finally upon the question as to the right to expend other funds than those carried in this bill for the administration of the various acts described by the Senator from Washington and others, has indicated to Members of this body that in his judgment there is no fund available for the purposes stated.

Now, may I ask the Senator another question?

Mr. LONG. Go ahead.

Mr. ROBINSON. If the Congress shall not pass the deficiency appropriation bill, carrying items for old-age pensions, old-age insurance, crippled children, railroad pensions, and the dependent blind, it will be 4 months, will it not, if the Comptroller General's informal expression of opinion shall be registered as a formal opinion, before any of these measures can be carried into effect?

Mr. LONG. I will answer the Senator by saying that if the Senator was wrong the other night, as his question would indicate, the thing for the Senator to do is to move to reconsider the vote by which he has undertaken to adjourn Congress—that is, assuming that he is unable to get the other House of Congress to vote on this bill tonight.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. ROBINSON. The Senator from Arkansas was not wrong when he made the statement. Some of the executives, the administrative officers, still feel that it would be possible to set up the organizations carried by the deficiency bill for the purposes I have just mentioned. In view of the facts I have described, does the Senator desire to prevent for 4 months the administration of the old-age-pension law, the old-age unemployment provisions, the arrangement for crippled children, for railroad pensions, and for dependent blind, just because the Senate happens to have an unwritten rule, which no other deliberative body on earth permits to exist, which allows a Senator who takes the floor to talk just as long as he pleases, on any subject he chooses, and which rule, so long as he does not indulge in disorderly statements, enables a Senator to retain the floor, and, under the circumstances which now exist, permits him to defeat the enforcement of wholesome legislation? Is it the policy and desire of the Senator from Louisiana to continue his remarks until the hour of 12 o'clock shall arrive, and thus defeat the enforcement of the legislation I have mentioned? If so, how does he justify that action on his part when he professes to

be in favor of the legislation I have described? How does he justify that action on his part when he declares that one of the fundamentals of a republican form of government is that the branches of the Congress shall have the opportunity of registering their will on legislation?

Mr. LONG. I have to answer about seven or eight questions, and I will answer them.

Mr. ROBINSON. The Senator may speak from now until midnight, if he is determined to do it, to answer any of them or all of them.

Mr. LONG. All right.

Mr. ROBINSON. But I should like to have the Senator answer first—

Mr. LONG. Mr. President, a point of order. Have I the floor now?

Mr. ROBINSON. Oh, the Senator has the floor, but he has yielded.

Mr. LONG. I have yielded for a question.

Mr. ROBINSON. And I should like to ask him to answer first the question whether it is his intention, taking advantage of the rule of the Senate I have described, to talk until midnight?

Mr. LONG. Now, I wish to answer the Senator in the order I wish to select.

Of course, I have here in writing the remark of the Senator that this will not prevent anything from functioning; that is, that he had been advised to that effect by administrative boards. That is no. 1.

If the Senator is right that it is necessary to pass the bill, then I insist that the bill ought to be passed. It is said that the Congress cannot for 4 months function on this matter, and nothing else can function, though we were advised to the contrary the other night, and I have been advised to the contrary from other sources which I thought were pretty reliable. It is my opinion of the act, reading it as it was enacted, that they can use that \$4,800,000,000 for anything they want to. There is not a limitation of any kind or character in the act. Find any limitation at all. If you will find me any limitation in that act, then I shall be guided by it.

Mr. ROBINSON. Mr. President, will the Senator yield on that point?

Mr. LONG. No; I will not yield right now. Wait until I get through. I will yield a little later.

Mr. ROBINSON. The Senator does not wish to make a misstatement?

Mr. LONG. I decline to yield.

Mr. ROBINSON. The Senator has made a statement, if he will pardon me, that I know to be erroneous.

Mr. LONG. Well, if the Senator wishes to ask me a question, let him go ahead.

Mr. ROBINSON. The Senator has said that the \$4,800,000,000 carried in the work-relief joint resolution may be used for the purposes of this proposed legislation. That act is limited to providing employment.

Mr. LONG. Yes, sir; and that is all there is in any of these measures—employment.

Mr. ROBINSON. If the Senator rests his conclusion on that statement, he is entirely wrong.

Mr. LONG. Hand me the act. I will read the act.

Mr. ROBINSON. Oh, please do not do that! [Laughter.]

Mr. McCARRAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Nevada?

Mr. LONG. No; let me get through. Then I will yield. It will take me only a little while to answer the Senator—about 3 or 4 minutes—and then I shall be through, and I shall be glad to yield to my friend from Nevada.

That in order to provide relief, work relief, and to increase employment by providing for useful projects, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be used in the discretion and under the direction of the President—

"Work relief." At the time the bill was up I read here that in order to provide relief you did not need anything else in the bill, you did not need another word in the bill—"That in order to provide relief." You can strike out every-

thing else, and there is not a thing on earth that you cannot use that money for.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. ROBINSON. Does the Senator maintain that if the Railroad Pension Act had not been passed the President could have paid out of the work relief fund railroad pensions which the act contemplates? I know the Senator will not maintain that.

Mr. LONG. It is a little broad to say that, but inasmuch as the railroad pension bill has been passed, it certainly can be used for that purpose.

Mr. ROBINSON. Does the Senator maintain—

Mr. LONG. But I have not been able to get through answering the Senator. I wish he would let me get through answering him about that.

Mr. ROBINSON. Mr. President—

Mr. LONG. A point of order. I will not yield at this time.

Mr. ROBINSON. Oh, very well.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. LONG. Now, I want to complete my answer, then I will yield to my friend.

If this is true—and let us for the sake of the argument concede that it is true—if we cannot do anything except this bill be passed, then I for one insist by all means the Congress ought to pass it tonight, or that Congress ought to stay in session until the bill is passed.

Mr. ROBINSON. Mr. President, will the Senator yield at that point?

Mr. LONG. I do not yield; no.

Mr. ROBINSON. The Senator has again—

Mr. LONG. I refuse to yield.

Mr. ROBINSON. Mr. President—

Mr. LONG. Mr. President, can I get protection from the Chair?

The PRESIDENT pro tempore. The Senator has the floor, and declines to yield.

Mr. LONG. Very well. The point I wish to make is this: Let us assume that the last exposition of the Senator from Arkansas is more correct than the exposition he rendered here Saturday night. Circumstances alter cases. Therefore I join with him in saying, by all means let us pass this bill. By all means let us pass the bill. It was sent over to another branch of the Congress, which has not voted on it at all up to this time. We called for it, and brought it back to the Senate. But we assume that the only way a bill can be passed in another body is by providing that we would eliminate what some Member of the body says must not come before it, or what someone else says must not come before another body.

Why not let the bill be passed on? You are here saying that you need this law. Why do you not let the Congress vote on the law, if you say we need the law?

Who is it that has kept this bill from being voted on?

Mr. ROBINSON. Will the Senator yield?

Mr. LONG. No.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. LONG. Who is it that has kept this bill from being voted on?

Mr. BONE. Mr. President, will the Senator yield a moment?

Mr. ROBINSON. Will the Senator yield for me to answer that?

Mr. LONG. No; I am asking myself a question. [Laughter.]

Mr. ROBINSON. I will answer it, anyway. It is the Senator from Louisiana who is keeping the Senate from voting on the bill.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. LONG. No; I will not yield to anybody for anything.

Mr. SCHWELLENBACH. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. SCHWELLENBACH. I ask the Chair whether or not the Senator from Louisiana has a right to refuse to yield for a question just because of the fact that he is afraid to have the question propounded to him?

The PRESIDENT pro tempore. The Senator has a right to refuse to answer.

Mr. LONG. Yes; and I decline to yield to anybody until I get through. I ask not to be interrupted at any time by anybody. I do not want any questions, except that I will yield now, as I promised, for a question, to my friend the Senator from Nevada, having previously promised to yield to him.

Mr. McCARRAN. Mr. President, in furtherance of my question, I desire to have the Senator from Louisiana realize that, while I agree in the major premise of his argument, to wit, that Congress should vote on all measures, let me draw the attention of the able Senator from Louisiana—

Mr. LONG. I can yield only for a question, Mr. President.

The VICE PRESIDENT. The Senator declines to yield to anything but a question.

Mr. McCARRAN. Does not the Senator from Louisiana realize that the House of Representatives has had an opportunity to vote on this bill, and that they could have voted on it had they seen fit to do so?

Now, one more question. This is a kind of a double-jointed question. Does not the Senator from Louisiana realize that all of the measures involved in this important bill must fall because the \$4,800,000,000 cannot apply, because, further, the \$3,300,000,000 which we appropriated in 1933 cannot apply, and therefore all these important measures, including the Railroad Pension Act, and all others, must fall if the Senator persists in his effort?

I desire to say to the Senator now, if he will permit me, that I have always been sympathetic with his view, and I am stating that I am a Democrat, and I know he is, and I believe that both Houses of Congress should vote on this measure, but that when the House of Representatives refuses to carry out its own prerogatives the Senate cannot force it to do so.

Mr. LONG. I wish to agree to everything the Senator says. The Senator says that he believes both Houses have a right to vote, but he says that the House of Representatives has refused to vote. Now I shall read from the CONGRESSIONAL RECORD, if it is within my right, to show that the Speaker and the Chairman of the Committee on Appropriations ruled that the House did not have a right to vote, and would not be given the right to vote. If I establish—and I want my friends to stay with me—if I establish from their own lips that they said that the House of Representatives had no right to vote, and would not be given a right to vote, then I want him to stay with me. I shall read from the RECORD. Have I the right to read from the RECORD regarding that matter, Mr. President?

The VICE PRESIDENT. The Chair thinks the Senator has the right to read from the RECORD.

Mr. LONG. Very well.

The VICE PRESIDENT. If the Senator is asking a question of the Chair, however, the Chair will answer it.

Mr. LONG. Very well. I read from the CONGRESSIONAL RECORD about this matter:

Mr. BUCHANAN. Does not the gentleman understand that when that bill came back from the Senate, carrying \$500,000,000 more appropriation than the House bill carried, and new legislation as well, the rules provide that that bill should be referred to the Committee on Appropriations, in order that they might investigate those amendments and report on them, and not be required in 3 or 4 minutes or 3 or 4 hours to pass upon that vast amount of appropriation to see whether it is justified or not. Whether I choose to ask unanimous consent to take that bill from the Speaker's table is a privilege that I have, and I knew that unanimous consent would not be granted.

Mr. RANKIN then said:

I do not agree that it is the privilege of the chairman of the committee to paralyze a bill that the Congress has passed on and that now depends upon adoption or rejection or ironing out of the amendments on the differences between the two Houses. This is a matter that involves the integrity of the House.

Mr. LEHLBACH. If the Chair desires to hear me, I will state briefly what the situation is, as I see it. The point of the gentleman from Mississippi is this: If the course of action under the

rules of the House can only be taken by unanimous consent, and if that unanimous consent is sought or granted, the matter automatically becomes a question of privilege. That is so insane that there is not any sense in arguing it.

In other words, he stated that what the Senator from Nevada has said is so insane that there is no need to argue it. What did the Speaker say about it? The Speaker stated as follows:

The Chair is ready to rule. The rules of the House and all of the precedents of the House provide just what should be done when a bill has been returned to the House with Senate amendments. Under the established precedents the bill must be referred to a standing committee, unless unanimous consent has been obtained to send the bill to conference, or a special rule has been reported and passed upon by the House, providing that it shall be sent to conference.

The Chair desires to call the attention of the House to section 3108 of volume IV of Hinds' Precedents, which reads as follows:

"A House bill returned with Senate amendments, involving a new matter of appropriation, whether with or without a request for a conference, is referred directly to a standing committee and on being reported therefrom is referred to the Committee of the Whole."

As the Chair has stated, it was the duty of the Chair to refer this bill to the Committee on Appropriations, the standing committee having jurisdiction of it. That practice must be followed unless the chairman of the committee or some Member of the House should obtain unanimous consent that the bill be sent to conference, or a special rule is presented making disposition of the bill. In this case no request for unanimous consent was made. It is the custom of the Chair always to recognize the chairman of the committee having jurisdiction of the bill in question. Neither has a rule been presented. The Chair fails to see how the integrity of the House proceeding has been violated in this particular instance. The Chair does not think that, under the guise of a resolution presented as a matter of privilege, involving the integrity of the House, the established rules of the House can be overturned. The Chair does not think there is a question of privilege presented by the resolution or that there was anything in the action taken with reference to this particular bill violative of the integrity of the House or its regular proceeding.

The question as to whether or not we are now in the closing hours of a Congress, the question of the importance or unimportance of these appropriations and the legislation contained in this bill are matters with which neither the Chair nor the House, under its established rules, has anything to do at the present moment.

As the gentleman from Texas has said, there is a reason for the practice of the House in referring these bills to the standing committees where unanimous consent or a special rule to the contrary has not been obtained. It is, of course, manifestly for the purpose of giving to the committee an opportunity to examine the amendments and report back to the House its recommendation as to whether or not those amendments should be agreed to or disagreed to.

The Chair, therefore, sustains the point of order of the gentleman from Virginia.

If you send this bill over to the House tonight, even after taking out wheat and cotton, still they will not have to hear it if this same gentleman does not want it heard.

What more have we, I ask myself—and I answer the question—what more have we to show us that the bill will be considered over in the House tonight than we had last night? What more is there before this House tonight than there was last night to show us that they will permit the bill to be heard over there? What have you before the Senate tonight to show you that the other body would allow this thing to be voted on any more with the farm amendment taken out than with it in the bill? I ask somebody to tell me, if they can, if it is within the rules of the Senate, what more have you got before you to show that the House will permit this thing to come up tonight than you had the other night? Here is the rule. Now will somebody get up and say, "Mr. BUCHANAN told me he would let it come up"? If he should, it would be the same as saying that Mr. BUCHANAN is running the legislative machinery.

The VICE PRESIDENT. The Chair calls the Senator from Louisiana to order. The Senator is asking certain questions. If he wishes the Chair to answer, the Chair will do so. The Senator has no right to refer to the House of Representatives. The Chair has called his attention to that rule before, and does so now for the second time. The next time the Chair calls the Senator's attention to it the Senator will have to take his seat.

Mr. LONG. Mr. President, I asked if I might read the quotation from the RECORD.

The VICE PRESIDENT. Yes; but the Senator, after having read the quotation, referred to the Member of the House, using the name "BUCHANAN."

Mr. LONG. I read from Mr. BUCHANAN's statement, Mr. President.

The VICE PRESIDENT. Yes; but the Senator also referred to Mr. BUCHANAN, aside from the quotation.

Mr. LONG. I referred to these remarks, which I read with the permission of the Chair. I hope the Chair will accord me the privilege, after having given me permission to read the remarks of Mr. BUCHANAN, of asking what reason there is to say that the same Member of the House would not make the same statement tonight. I appeal to the Chair to tell us, after I have asked the privilege of reading from the RECORD—

The VICE PRESIDENT. The Senator is familiar with the rule of the Senate—it has been called to his attention a number of times—with reference to referring to an individual Member of the House of Representatives, or to the House of Representatives itself in its procedure. The Senator did ask the Chair if he could read the RECORD of the House of Representatives. The Chair thinks he could; but the Chair does not think the Senator ought to speak with reference to the Membership of the House, or of the House itself, in a derogatory manner. That is in violation of the rule of the Senate.

Mr. LONG. Mr. President, I have not done so.

Mr. MINTON. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. MINTON. In behalf of an outraged Senate, may we not have the rules of the Senate enforced, as the Chair has twice seen fit to call the Senator from Louisiana to order?

The VICE PRESIDENT. The Chair tries to be liberal in the administration of the rules; but he has just remarked to the Senator from Louisiana, so far as the Chair is concerned, that he has twice tonight called his attention to the violation of the rule. If any Senator or the Chair himself calls it to the Senator's attention again, the Senator will be asked to take his seat, and a vote will be taken as to whether the Senator may proceed in order.

Mr. CLARK. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. CLARK. Under the rules of the Senate, when a Senator is called to order he shall take his seat, and the question shall then be put as to whether he shall be permitted to proceed in order.

The VICE PRESIDENT. That is the rule.

Mr. CLARK. The rules of the Senate provide that the Chair shall, or any Senator may, call a Senator to order for transgressing the rules of the Senate. The Chair simply performs the duty imposed upon him under the rules of the Senate; and I suggest that under the rule the Senator from Louisiana is required to take his seat, and the question should be put as to whether he shall be allowed to proceed in order.

Mr. McCARRAN. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. McCARRAN. The Chair has not called the Senator from Louisiana to order. There is a way in which he may be called to order, and the Chair has not called him to order. What is more, the Chair has merely admonished the Senator and stated that if he had to be called to order again the Senator would have to take his seat. There is not any short-cut in this matter.

The VICE PRESIDENT. The Senator from Nevada has stated the situation. The Chair was trying to admonish the Senator from Louisiana to stay within the rules of the Senate. It is rather a harsh thing to call a Senator to order and have him take his seat and have the Senate vote on whether he shall proceed in order.

Mr. SCHWELLENBACH. Mr. President, I raise the point of order that the Senator from Louisiana has transgressed the rules of the Senate in his reference to a Member of the other body. I raise that point of order, and under section 4 of rule XIX of this body I ask the Chair to rule that the Senator from Louisiana must take his seat and permit the

Senate to vote on the question as to whether or not he shall proceed.

The VICE PRESIDENT. The point of order is sustained. The Senator from Louisiana will take his seat. The question is whether or not the Senator from Louisiana may proceed in order. The occupants of the galleries will be in order, or else the galleries will be cleared.

Does any Senator desire to make a motion as to whether or not the Senator from Louisiana shall proceed in order?

Mr. MINTON. I make the motion.

The VICE PRESIDENT. The Senator from Indiana moves that the Senator from Louisiana shall proceed in order. [Putting the question.] The "ayes" have it, and the Senator from Louisiana will proceed in order.

Mr. LONG. Mr. President, having propounded a parliamentary inquiry which I thought gave me the right to answer the Senator from Arkansas, I must decline to be interrogated further, because I admit that in answering these questions about another body I am liable to transgress the rules of the Senate. I therefore cannot accommodate my colleagues by answering those questions. Furthermore, I decline to use the expression "the other body", because even that, while it does not transgress the rules of the Senate, does violate in my own mind what this matter contemplates.

Let me say this: Who can say that anybody or any court is going to pass one thing or the other? I cannot tell you what any other body is going to do. I can only tell you what we ourselves do. I have no lamp to guide my feet. If anybody wants to point out, in order to do himself a service without its being held chargeable to me, and the Chair rules it within the rules of the Senate that any Member of this body may make the point or give us proof that anything we have before us will become a law in one way better than the other, I am willing for him to show it, if it is allowable under the rules of the Senate. I am willing that he shall do it; but I will not take a chance of illustrating something that might transgress the rules of the Senate. I will not do that.

Perhaps this bill will become a law more readily with the farm provision out of it than in it. Perhaps it will. I do not know. The present motion pending before the Senate, as I understand, is to reconsider the vote by which we adopted the Byrnes amendment? Is that what is now before us?

The VICE PRESIDENT. If the Senator makes a parliamentary inquiry of the Chair, the Chair will answer it. Does the Senator make a parliamentary inquiry? Does the Senator submit a parliamentary inquiry which he desires the Chair to answer?

Mr. LONG. Yes.

The VICE PRESIDENT. What is the parliamentary inquiry?

Mr. LONG. I want to know what is the pending motion?

The VICE PRESIDENT. The pending motion is that of the Senator from Arkansas to reconsider the action by which the Senate passed the deficiency bill.

Mr. LONG. The next thing we would have to do, if we should reconsider the final vote by which the bill was passed, would be to reconsider the vote by which the amendment of the Senator from South Carolina [Mr. BYRNES] as amended by the amendment of the Senator from North Dakota [Mr. FRAZIER] was adopted.

Assuming that motion was agreed to, then we would have to move to reject the amendment of the Senator from South Carolina, as amended by the amendment of the Senator from North Dakota. That would mean we would reject the amendments relating to cotton and wheat, and then we would have to move to engross the other Senate amendments, read the bill the third time, and then, if we passed the bill, that would send the bill out of the Senate. That is the parliamentary situation I suggest we would have to go through in order to get the benefits contemplated.

What good is that going to do? What good is it going to do?

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question only.

Mr. BLACK. The Senator asks what good it is going to do.

Mr. LONG. I yield for a question only.

Mr. BLACK. Is the Senator familiar with the fact that this bill carries an appropriation to put into effect the Railway Retirement Act?

Mr. LONG. I have been told so.

Mr. CLARK. Is the Senator familiar with the fact that this bill carries an appropriation to put into effect a grant to the States for old-age pensions for old people?

Mr. LONG. Yes; that is what I have been told.

Mr. BLACK. The Senator is familiar with the fact that this bill carries an appropriation to aid the blind?

Mr. LONG. Yes; and the needy.

Mr. BLACK. Is the Senator familiar with the fact that the bill carries an appropriation to put into effect the act to aid the crippled children of the United States?

Mr. LONG. Yes.

Mr. BLACK. Is the Senator familiar with the fact that if he succeeds in his filibuster, those crippled children and those blind people and those old people will not have the benefit of these appropriations?

Mr. LONG. My understanding is that the bill will have to be passed by another body.

Mr. BLACK. Is the Senator familiar with the fact that the bill cannot be passed by the other body if he succeeds in his filibuster and the Congress adjourns at 12 o'clock midnight tonight?

Mr. ROBINSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield for a question.

Mr. ROBINSON. The bill has already passed the other body. This is a House bill. That is how the Senate gets jurisdiction of it.

Mr. LONG. But the Senate has added other amendments.

Mr. ROBINSON. Yes, but the proposal would be to rescind the action on the amendments.

Mr. LONG. Not all of them.

Mr. ROBINSON. The amendments which are known as "the cotton and wheat amendments."

Mr. LONG. What about the others?

Mr. ROBINSON. The other amendments would probably be concurred in by the House and the bill passed.

Mr. LONG. How do I know that?

Mr. ROBINSON. I am telling the Senator.

Mr. LONG. How does the Senator know that?

Mr. ROBINSON. I have that assurance.

Mr. LONG. Where?

Mr. ROBINSON. From Members of the House.

Mr. LONG. Who?

Mr. ROBINSON. If the Senator doubts the statement I am making—

Mr. LONG. I do not know.

Mr. ROBINSON. The Senator understands there is no chance to pass the bill unless we take the action that is proposed, and that if he shall continue to talk until midnight the bill will be defeated. The House can adjourn at any time, and if it does adjourn before we have sent the bill back there and given them an opportunity to concur in the remaining Senate amendments after the two mentioned have been eliminated, even if the Senator discontinues, all the Senate can then do is to pass the original House bill without any Senate amendments. If the Senator talks much longer, it will mean, if he then yields to a vote on the bill, that the only thing that could be done would be for the Senate to strip the bill of all Senate amendments and pass the House bill as the House originally passed it.

Mr. LONG. I want to rehearse this little conversation we have had as I get it. The Senator from Arkansas has said that the bill cannot be passed with the farm amendments on it, but it can be passed without them. I said, "How do you know?" He said, "I have been told." "By whom? Who has the right to tell the Senator from Arkansas?"

Mr. ROBINSON. I am informed, if the Senator will permit, that a motion will be made to concur in the Senate amendments. The House does not have to do anything if the Senator succeeds in defeating the Senate amendments by his filibuster. There is nothing remaining then for the House to do.

If the Senate had an opportunity to vote on the bill, there would probably be 1 vote against the passage of the bill in the revised form, and that would be the vote of the Senator from Louisiana. Does the Senator from Louisiana know that he stands absolutely alone in his effort to defeat this bill? Does he understand that all his colleagues, without regard to politics and without regard to the side of the Chamber upon which they sit, wish to pass the bill, and that he alone, by what may be termed arbitrarily employing the privilege of debate, is seeking to defeat a very wholesome measure?

Mr. LONG. Now, I want to answer that question. I am not undertaking to defeat the measure.

Mr. ROBINSON. Why will not the Senator let us vote on it?

Mr. LONG. Let me finish. I do not want to yield until I get through. My friend from Arkansas knows I have lots to answer.

I do not want to defeat the measure. I want it to pass. I am trying to find out with only such light as I have, and light has not been given to me yet. There are a number of amendments on the bill. I have the RECORD here. The RECORD does not show the House voted on it. I have read the RECORD. The Senator from Arkansas has said a motion will be made to concur. How do I know but what a motion would be made to concur if it should go over there as it is? Who has said in any body other than this motions will be made to concur in one form and will not be made to concur in another form?

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. BLACK. May I ask the Senator if he does not realize that whatever may have been said by anyone in any other body, it is wholly impossible for us to expect that other body to act upon the measure unless the bill goes there, and that it is clear it will not go there unless the Senator ceases his filibuster, and that it is also clear that the Railway Retirement Act, in which thousands and hundreds of thousands of men are interested, will be deprived of being set up for their benefit if he continues his filibuster; that the appropriations for the needy blind cannot be put into effect; that the appropriation for crippled children will be destroyed by the Senator's filibuster; that the appropriations for the aged poor will be destroyed by the Senator's filibuster?

It is difficult to believe that the Senator should continue the filibuster when he knows, and is bound to know, with his intellect, that his filibuster will succeed in preventing those laws being put into effect under this bill?

Mr. LONG. Now let me answer the Senator. I hope I shall not be interrupted again, but I will appeal to the Senator from Arkansas to withdraw the motion pending here and let the bill go to the House. I shall be glad to yield the floor in order that the motion the Senator from Arkansas has made may be withdrawn, and then the bill will be hastily sent over to the House.

Mr. BLACK. Mr. President, will the Senator yield again?

Mr. LONG. Just a moment. No; I do not want to yield.

Mr. BLACK. The Senator wants to filibuster and defeat the bill.

Mr. LONG. No; I do not want to filibuster.

Mr. BLACK. That is the result.

Mr. LONG. On the contrary, I am trying to save the last phantom form of republican legislative government that is left in America.

Mr. BLACK. The Senator is trying to defeat the bill which carries the appropriation for crippled children, and the blind, and the needy poor.

Mr. LONG. Oh, no! I voted for this bill, and everything that is in this bill.

Mr. BLACK. The Senator may have voted for it, but now he is trying to kill it.

Mr. LONG. I voted for it, but do not fool yourself: I know what this bill has in it.

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Wisconsin?

Mr. LONG. No, sir; not until I get through.

Mr. McCARRAN. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Nevada?

Mr. LONG. Pardon me just a few minutes.

The VICE PRESIDENT. The Senator declines to yield.

Mr. LONG. Just a few minutes. Then I will yield to my friend from Nevada. I always keep my word.

Here is the point. Let us get this bill over to the House as quickly as possible. There is one man in this body who can get it over there. If the Senator from Arkansas asks me to yield for the purpose of withdrawing his motion, so that the bill may go back to the House, I will yield.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. ROBINSON. The Senator knows that we passed this bill, sent it over to the House, and it developed that the bill was to be referred to a committee, and that no action was to be taken, because the Senate had incorporated in the bill certain amendments which made it necessary, under the rules of the House, to refer the bill to a committee.

Does not the Senator know that the only way to pass this bill now is for him to sit down in his place, stop wasting the time of the Senate and the country, and give the Senate an opportunity to register its will on this matter? Does he not know that he is standing alone in preventing the Senate from acting by the employment of a rule of the Senate which proceeds on the theory that a Senator will not abuse his privilege, and that he may speak just as long as he chooses?

Mr. LONG. Mr. President, I want to answer the Senator.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question to my friend from Nevada.

Mr. McCARRAN. If the Senator from Louisiana were assured by his friends here that the policy would be carried out whereby this bill would pass, save and except as to the cotton and wheat amendments, as to which certain agreements have been arrived at, would the Senator then yield to a motion so that the legislation might be enacted?

Let me be explicit in regard to that. Other than the cotton and wheat amendments, on which agreements have been arrived at, would the Senator yield so that certain motions might be made here, and the bill passed, and the agreements on the cotton and wheat amendments carried out pursuant to their terms? Then could we go on?

Mr. LA FOLLETTE. Mr. President—

Mr. LONG. Mr. President, in just a moment I will yield to my friend from Wisconsin. If I am permitted to answer the question, I will say that if, by action of the House, it be shown that the cotton and wheat amendments are undesirable to that body, I will instantly yield, that the bill may be passed without them. If there be any action of the House showing that they do not desire the cotton and wheat amendments, I will give up at once. I will yield instantly so that the bill may go back to the House for action by the House to see if they do not desire cotton and wheat. If they do, and the House does not want it, I will not stay here a second.

Now, I yield to my friend from Wisconsin, for a question, of course.

Mr. LA FOLLETTE. I desire to refer for just a moment—

Mr. LONG. I yield only for a question, because otherwise I should lose the floor.

Mr. LA FOLLETTE. I desire for a moment to refer to the question which the Senator raised a few moments ago; namely, concerning his desire to know upon what authority the Senator from Arkansas referred to the fact that—

Mr. LONG. Just a moment. Mr. President, have I a right to yield to this?

The VICE PRESIDENT. No one has called the Senator to order. If that should be done, the Chair would hold the Senator out of order; but no Senator has done that. Therefore, the Senator from Wisconsin may proceed.

Mr. LONG. Very well.

Mr. LA FOLLETTE. I was referring to the question raised by the Senator from Louisiana a few moments ago as to the authority of the Senator from Arkansas or any other Senator to assure the Senate that the amendments, aside from the cotton and wheat amendments, would be concurred in by the House.

I wish to ask the Senator whether he does not realize that if the House should fail to concur in the Senate amendments, other than the cotton and wheat amendments, inevitably the bill would have to go to conference, and therefore it would still be in the control of the Senate. So may I ask the Senator this further question: In view of that situation, would not the Senator be willing to permit an opportunity to be had by the House to vote on the question of concurring in these amendments, which are so vital to those who are concerned—namely, those who are engaged on the transportation system of the country, those who are interested in the Railroad Retirement Act, and those who are interested in old-age pensions? If the House should refuse to concur, the matter would inevitably have to go to conference, and the bill would still be in the control of the Senate, in case the outcome should not be satisfactory to a majority of this body.

Mr. LONG. Now let me answer my friend from Wisconsin. I am surprised that he does not hold up my hand here tonight. I am surprised at my friend from Wisconsin. I am going to answer him. No; the answer to the question he asked is "no." I have read the rules as the Speaker of the House stated them in the RECORD; and under his ruling, if this matter goes over to the House tonight in any form whatever, it must go to the Chairman of the Appropriations Committee, unless there is unanimous consent to take it up at once, or unless there is a special rule.

Here is what I wish to say to my able friend from Wisconsin—he heard me a moment ago: I say, standing under the light of the eternal God Almighty, the Republic of this country is all we have left. The Legislature of this country is all the people have left for lawmaking. I ask, would you take away the right of a Senator only to ask that the bill be referred to the House before being sent back to this body? Would you have me say that I would assume that another body would vote adversely, in advance of the action to be taken by the body?

Mr. LA FOLLETTE. Mr. President—

Mr. LONG. I will not yield another bit.

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Louisiana yield to the Senator from Wisconsin?

Mr. LONG. No; I will not.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LONG. I will not.

Mr. President, speaking now on this matter, I took occasion to look at the proceedings as they came up in this body. This was a very important matter to me. I will decline henceforth to yield to anybody for any purpose until I announce that I will yield. I am going to come to the point, so that the proceedings may be reviewed.

The Senator from Alabama [Mr. BANKHEAD] was speaking. He said here, as I shall read:

Mr. President, some statements have been made, I believe, about the accumulation of additional cotton under the 12-cent loan. I want to predict now, as a long-time student of this subject, that you will find a good deal more cotton in the hands of the Government under the 9-cent loan than under the 12-cent loan, because there is nothing else for the cotton farmer to do, those who are able to do it. As the Senator from South Carolina stated, the tenants and the poor farmers are the ones who are most likely to suffer under this program. I was told by the junior Senator from Georgia [Mr. RUSSELL] that cotton is now selling at 10 cents a pound in southern Georgia. Those farmers sell at that price. No one should think that this plan guarantees them the other 2 cents to make up to them 12 cents.

Let me point out that if by virtue of a holding movement on the part of those who are in a position to hold their cotton during the last 2 months of the year—November and December—the average price for the 4 months should be increased to 12 cents a pound, then the poor devils who sell now would not get a single dime in addition to the market price they are today getting for

their cotton. If the average price during the season should get up to 12 cents, those who sold it for less would be the "forgotten men"; they would be out of the picture.

The Senator from Alabama is a man well experienced in the cotton affairs of this country. The Senator from Alabama has sponsored considerable legislation on the question of cotton. The Senator from Alabama understands this question of cotton I think as no other man in this body understands it, with the possible exception of the senior Senator from South Carolina [Mr. SMITH], who has made quite a study of the matter, and anything I read from the Senator from Alabama naturally carries logic and weight behind it. I have frequently had the opportunity of conversing on this question with the Senator from Alabama. I consider him an authority on it, just as I consider the Senator from North Dakota [Mr. FRAZIER] an authority on wheat and farm problems of like nature.

I read further from the Senator from Alabama:

Those who are able to hold, and, finally, possibly force the price up, get the price, of course, and do not need the 12-cent guaranty; but those who need it most are the most likely to be the sufferers under the plan recently announced.

I concur in this view which has been expressed by the Senator from Alabama. I might state that I am of the opinion that the Senator from Alabama has well expressed himself in the matter. I shall read further from his speech. After a while I am going to read from the remarks of the Senator from South Carolina [Mr. SMITH]. In the absence of the Senator from South Carolina from the Chamber this afternoon I mentioned him, and I will say to him that my remarks were taken down, and are in the reporters' room, and I will ask that if the Senator from South Carolina should ask to see the pages containing what has been taken down, he be permitted to see them, because I may say that I referred to him in an entirely complimentary manner, as to his understanding about this 12-cent and 10-cent and 9-cent proposition.

I read further:

In addition to that, they will not get the money until next year sometime. The price-fixation period does not end until the 1st of January. Then, all the records must be made up, all the accounts of the farmers must be presented and go through the General Auditing Office. Vouchers must then be made, and we know, as a result of the programs relating to wheat and corn, that it would take months for the money to reach these poor needy men under this delaying, complex, and confusing plan.

It is to the financial advantage of the Government to fix the loan at 12 cents. Nearly all the cotton would move into trade. As Mr. Davis stated, 11,500,000 bales will be needed for this year's consumption. He said the mills must have it. That will cover this year's crop. When it is said the farmer can get a loan of 12 cents, then the trade will pay him 12 cents and he would much rather sell his cotton for 12 cents than to put it into a loan upon which carrying charges would accumulate.

I agree with this statement thoroughly. I am in accord with all that has been said on this question by the Senator, and if it were left to me, there would be no argument here tonight. I am very much aggrieved that there is any difference of opinion on this subject. I am sorry that everything is not as the Senator from Alabama has stated it. I read further from his remarks in order that they may be heard by the Members of the Senate, and I give this information:

If the Senate should adopt the amendment of the Senator from South Carolina—

Referring then to the junior Senator from South Carolina [Mr. BYRNES].

If the Senate should adopt the amendment of the Senator from South Carolina, prompt returns would be assured and we could be sure that very little cotton would go into the cotton loan. I believe less than a million bales out of the crop would go under the 12-cent loan. I predict that 5,000,000 bales would go under a 9-cent loan.

Think of it! There is a prediction of the Senator from Alabama that 5,000,000 bales will go under a 9-cent loan and a billion bales under a 12-cent loan. In other words, there will be a great deal more going under the low loan than under the high loan, and it will cost the Government that much more money. If this amendment on cotton and wheat is taken out of the bill the United States Government will lose in the neighborhood of \$294,000,000. I estimated

a loss of \$294,000,000 at one blow if this half-baked legislation shall be passed. The farmers of the United States formerly raised in this country anywhere from thirteen to fourteen millions up to seventeen million bales of cotton, and I want Senators to remember that never was there a time when we had a 10,000,000-bale crop of cotton when we did not get from 15 to 40 cents a pound for cotton. Whenever we could hold cotton down below 12,000,000 bales we always got 15 to 20 to 25 to 30 to 40 to 42 cents a pound for cotton. This is a time when we have had two short crops instead of one and we are fighting over 10-cent cotton. Think of it, gentlemen of the Senate. Always, when we had one short crop of cotton, always, I say to my friend from Oklahoma—and I am glad that he is listening to me so attentively—always when we have had one short crop, we have gotten a high price for the cotton.

Here is a case where we have had two very short crops of cotton, and the price is down to around 10 cents a pound. That is the proposition which worries me in this entire transaction.

I read further:

From all these standpoints it is better to proceed with a plan which is tried and satisfactory, especially as we have now reached the point of beginning to reduce the Government cotton under the reduction program next year. That cotton will be brought out of the pool as a necessary contribution to the world's consumption of American cotton.

Regardless of politics, regardless of all the complications, but looking at this matter from the standpoint of the best interests of the Government, exercising our judgment here as Members of the Senate, looking at the welfare of a great section of the country, I hope the Senate will vote to continue the 12-cent loan, not because it will initiate a plan, but because it will decide between two plans and decide that the tried plan shall be continued. It is to the interest, as has been pointed out, of the cotton trade. Practically all the cotton mills favor the 12-cent loan.

Therefore, he said the best thing to do would be to make the loan at 12 cents. Twelve cents a pound means about \$60 a bale.

Cottonseed sells for anywhere from \$5 to \$20 a bale now. I do not think there is nearly the market for cottonseed there used to be.

During the war times and shortly after the war times cotton would sell for 42 cents a pound as cotton, and a man would get twenty or thirty or forty dollars for the seed, paying for the bagging of the cotton, the ties, the shipping, ginning, and everything else. Just the seed alone would pay that much and give the man a handsome profit out of a bale of cotton.

Seed is now having a hard time getting a market. The trouble is that instead of seed finding a market, there are all kinds of vegetable oils shipped into this country, and copra is shipped in from the Philippine Islands, out of which they can squeeze vegetable oil. All of this confuses the market and congests it, and as a result they have never quite been able to get anything like a decent price for cottonseed oil, and therefore cottonseed brings a very low price.

I do not know entirely what is to be the effect of our freeing the Philippine Islands. We have had a lot of arguments in the Senate over just what to expect from freeing them. I am not very much up on foreign matters; that is, I have studied them, as most Members of the Senate have, off and on, when questions have been before us, but I never made any particular study of foreign products and of foreign matters of that kind.

Therefore, I am hardly in position to tell just what is going to be the result when the Philippine Islands are finally free. I wish I knew. I do not know, and I do not know of anyone who does know. There are all kinds of opinions about the question. One man thinks one thing and another something else, and the opinions vary. One opinion is just as solid, apparently, as the other.

Some people think that getting out of the Orient is a good thing. Other people think that staying in the Orient would be a good thing. I do not know. I have voted one way, and I would hear an argument, and I would feel like changing my mind on it every time I heard another man make a speech.

Be that as it may, I do not know what the future holds for cotton. This is a very deep question. I have spent a lot of time studying the cotton question. As I have said, there are two ways of our approaching the question, and the cotton question ought to be studied very deeply, and separately from the wheat question.

No man can tell just how it ought to be tied into the entire case. I should prefer to have the cotton question eliminated from politics. I do not believe it will ever be a good thing to carry it too far. My idea is that it ought to be gotten out of politics.

Wheat should be gotten out of politics. My idea is, further, that whatever laws you make for wheat you ought to make for cotton.

I do not desire to keep the floor here discussing this matter too long tonight. I do not want to take too long. I have felt that others have advice and suggestions which I should like to have the Senate receive.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. No.

The PRESIDING OFFICER. The Senator from Louisiana refuses to yield.

Mr. BLACK. The Senator from Louisiana will not yield to have his attention called to the fact that the States—

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. BLACK. The Senator declines to yield to have his attention called to the fact that the States, by his action, will be deprived of money to aid mothers and crippled children?

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. LONG. As I was saying a moment ago, the motion before the Senate is one made by the Senator from the State of Arkansas. The motion pending is to reconsider the vote by which the bill was passed. I do not know the parliamentary situation. I was just wondering about this. Had a Senator moved to reconsider the vote by which that bill was passed, and had a motion been made to lay that motion on the table, what would be the parliamentary situation? I do not know whether or not that was done last Saturday night. I did not look it up in the RECORD.

When we passed this bill last Saturday night, I do not know whether or not a motion to reconsider and a motion to lay on the table were made. If that was done, my opinion is that it would put a clincher on this matter. I do not know. I am not a particularly good parliamentarian. If we vote to lay on the table the motion to reconsider, that ends the matter of reconsideration.

As I said, I did not notice the matter as I passed out of the Senate Chamber that night. I wish I had looked it up in order that I might have argued the point to the Senate tonight. I wish I had looked it up, to have seen whether or not we moved to reconsider the vote, and then whether someone moved to lay the motion to reconsider on the table.

That brings up a very pretty parliamentary point. My opinion is that it would clinch the matter if that had been done; but I do not know whether or not that was done. We may all be arguing here something which is futile. The first thing we ought to have done, I really believe, was to look up the RECORD to see whether or not someone had made a motion to reconsider, and then whether someone had moved to lay that motion on the table. Now, after we have argued the thing here for 4 or 5 hours, we may find out that a clincher has been put on it. That is going to create a very peculiar situation.

I am going to ask my friends, some of them, while I am speaking here, addressing myself to the issue, to look in the RECORD and see whether or not a motion was made to reconsider the vote by which the bill was passed. I do know, Mr. President, that a motion was made to reconsider the wheat and corn amendment, and to lay that motion on the table. If that was done, how are we going to get out of it? If we have already moved—and I do know that we did move—to reconsider the vote by which the corn or the wheat and cotton amendment was passed and to lay that motion on

the table, how are we going to get beyond that, unless in a conference report? How can we do it?

We have already voted, I am saying, to lay on the table a motion to reconsider. Now, if another body were to send a bill in here for a conference, and we were to agree to a conference, of course, that conference report would be voted up or down. That is all right. But how are we going to reconsider a bill, our own bill, when we have voted to lay on the table a motion to reconsider? I do not see how it can be done.

I want Senators to think about it. Already it will be found, as Senators look through the RECORD, that a motion was made to reconsider the vote by which the amendment of the Senator from South Carolina was adopted, and that motion was laid on the table. How is that going to leave the situation? That does not give you a chance. There has been a motion to reconsider, and it has been laid on the table. Therefore, you have no chance.

I know that the wheat and cotton amendment had that motion made with respect to it. Perhaps it was not made with respect to final action on the bill, but that does not make any difference. The bill is here before us just as it always had been. It is here before us as though it had never left the Senate.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. For a question.

Mr. BLACK. Even conceding that there is some parliamentary question which the Senator has raised, does he not realize that by his filibuster he is defeating an appropriation of \$2,850,000 to take care of mothers and little children in the States, and \$2,137,000 to take care of crippled children in the States, in addition to the fact that he is about to defeat the carrying-on of the work for the railroad retirement fund, to carry on the pensions, and is about to deprive the States of an appropriation to help take care of their aged poor? Does not the Senator know that the inevitable result of his filibuster, which may be successful—which does not require any particular skill to be successful, just a little physical strength—is to deprive the aged poor, and crippled children, and blind people, and the railroad workers all over the country, of having this law put into effect for their benefit?

Mr. LONG. I do not think the Congress should adjourn without passing the bill.

Mr. BLACK. The Senator knows that if he talks from now until 12 o'clock, Congress will not pass the bill, and he will be responsible for its defeat.

Mr. LONG. I do not wish to yield.

The PRESIDING OFFICER. The Senator from Louisiana declines to yield further.

Mr. LONG. I will gladly yield to send the bill back to another body at any time.

Mr. BLACK. The Senator knows, irrespective of the way he demands it, that his continued talk is going to deprive the railroad brotherhoods and the railroad men of having this law put into effect for their benefit.

Mr. LONG. No; I cannot believe that my colleagues are less humane than I am and, therefore, I must say that I cannot believe, even if the Senator from Alabama is correct, although the Senator from Arkansas did not think so Saturday night, that my colleagues will vote me down and adjourn, as they have before, because at the proper time I shall enter a motion requesting the other House to send back the papers in order that we may rescind the adjournment resolution, as we did last Saturday night.

Mr. BLACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. LONG. No. Think what good I have done!

Mr. BLACK. The railroad people probably will not think of that. The poor mothers and the crippled children will not think of that.

Mr. LONG. Oh, yes, they will!

Mr. BLACK. The blind people, and the sick children, and their mothers will not.

Mr. LONG. Yes; every one of them will vote for me.

Mr. President, think of all the good I have done! If all the Senator from Alabama said is true, we ought to include in this bill an appropriation for me, because I stood here Saturday night and kept the Senate from taking a recess, and we had only 5 minutes left, or there would have been no deficiency bill. It was I who held the floor and would not let the Senate take the second recess. It was I who sat here and held this floor, as I am holding it tonight, but for which, within 5 minutes, we would have gone into recess. The Senator from Minnesota [Mr. SCHALL] was fixing to have the clerk read a speech that would have taken 15 minutes. I went over and got him not to do that, and I saved that 15 minutes right there.

Mr. BLACK. Mr. President, will the Senator yield there?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. LONG. No, sir; I do not yield.

The PRESIDENT pro tempore. The Senator from Louisiana declines to yield.

Mr. LONG. If there is good in this bill, then crown me for having saved it, because it was locked up and nothing was going to be done, and I stood right there in the seat across the aisle of the Senator from Michigan [Mr. COUZENS], and I objected when the Senator from Arkansas started to move a recess. I caused the papers to be sent over to the House 15 minutes ahead of time by asking my friend, the Senator from Minnesota, to stop having his speech read. If I saved the bill Saturday night, I have a right to save the American people Monday night.

Mr. BLACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. LONG. I do not yield, because it does not do any good, Mr. President. If it did any good, I would yield.

Mr. BLACK. I myself do not think it does any good.

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. LONG. The trouble is, my friend from Alabama does me grave injustice now. I will tell my friend from Alabama and the other Members of the Senate that I am going to let them in on a secret. If they will just read the RECORD they will see how the ship subsidy was passed last Saturday. I should like to have them read that.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. LONG. No, sir.

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. SCHWELLENBACH. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator cannot take the Senator having the floor off his feet by a parliamentary inquiry, but he may state the parliamentary inquiry.

Mr. LONG. I am not yielding.

Mr. SCHWELLENBACH. Has the Senator from Louisiana the right to refuse to yield just because he is afraid to have me propound a parliamentary question?

Mr. LONG. Yes, sir; I am afraid.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that is not a parliamentary inquiry.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. LONG. No.

Think of it, Mr. President! The Senator from Arkansas and the Senator from Alabama all this night have been telling what blessings there are in this bill, when it was HUEY LONG who got the bill here.

Mr. SCHWELLENBACH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. LONG. No, sir; I do not.

Mr. SCHWELLENBACH. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. Does the Senator from Louisiana have a right to refuse to yield just because he is afraid to have me ask a question?

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that that is not a parliamentary inquiry.

Mr. BLACK. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. BLACK. Does the Senator from Louisiana have the right in his speech to assume the credit for the bill going this far, when the facts are that he is not entitled to that credit, and then declines to permit any other Senator to get the floor to correct his statement?

The PRESIDING OFFICER. The Chair will state that, under the rules of the Senate, the Senator from Louisiana may claim anything he pleases. [Laughter.]

Mr. BLACK. Mr. President, another point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. BLACK. Does the Senator from Louisiana have the right at this time to filibuster against a bill which carries millions of dollars for the purpose of taking care of the aged and the poor, crippled children and sick children and sick mothers?

The PRESIDING OFFICER. The Chair will state that, under the rules of the Senate, the Senator from Louisiana does have that right.

Mr. LONG. Mr. President, Saturday night I went over to the Senator from Minnesota—and I want to read from the RECORD, if I can find it, without having to stop my conversation with Senators who are listening to me, for it is in the RECORD here—I went over to the Senator from Minnesota when the Senator from Minnesota rose and asked permission to have his speech read, and nobody objected, although they had been objecting previously, and the clerk started to read. I went over and asked the Senator from Minnesota, "Please do not", but he insisted. I stood there and my friend, the senior Senator from Wisconsin walked up to me and said, "Can you not convince the Senator from Minnesota not to have the speech read?" I said I had tried it. He said to me, "Try him again", and so I went back and tried him the second time, when he granted my request; and there I saved 15 minutes and got the bill over to the House 15 minutes earlier. If it had not been gotten over there 15 minutes earlier, it would have been 10 minutes past 12 o'clock.

Mr. SCHWELLENBACH. Mr. President—

Mr. LONG. I refuse to yield. I am afraid.

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. Does the Senator from Louisiana have the right to refuse to yield just because he is afraid to answer a question?

The PRESIDING OFFICER. The Chair will again state that that is not a point of order.

Mr. LONG. I am a scared man, Mr. President. [Laughter.]

I want to say that that is not all I did. I stood there when the Senator from Arkansas rose to move a recess. I knew what that recess meant. I held the floor in my own right; I only yielded when someone wanted to take up and have passed a bill, and then took the floor again and held the Senate here. So why should I not have the credit? If this bill is all that is good, the only reason the Congress of the United States is in session tonight considering it is that the Senator from Louisiana was here. That is the only reason.

Mr. SCHWELLENBACH. Mr. President—

Mr. LONG. I decline to yield.

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. Does the Senator from Louisiana have a right to refuse to yield just because he is afraid to answer a question?

The PRESIDING OFFICER. The Chair will say again to the Senator that that is not a parliamentary inquiry. The Senator from Louisiana does have that right.

Mr. LONG. Now, think of it; think of the good I have done. I never knew I was such a great man. [Laughter in the galleries.]

The PRESIDING OFFICER. The Chair must admonish the occupants of the galleries that they are here as guests of the Senate, and expressions of amusement, approval, or disapproval are strictly forbidden by the rules of the Senate. The Chair hopes that they will not be repeated.

Mr. LONG. I ask my hearers, Members of the Senate and guests on the floor and guests in the galleries, to please observe the admonition of the Chair so that Members of the Senate may hear what I am saying in the time I have left. Remember, I need this credit and I want credit done to me. Ah, my friend from Alabama would do no one an injustice. He may make an honest mistake, as we all sometime make mistakes, but he would never do a colleague or any other man an injustice. Ah, no, Mr. President; the Senator from Alabama and the other Members of the Senate know that we had already passed a resolution providing for final adjournment.

The Senator from Alabama knows that the Vice President did not call the Senate together on Saturday night until rather late. The Senator from Alabama knows that the messenger from the House only walked in the main door of the Senate Chamber 5 minutes before the hour of 12 o'clock. The Senator from Alabama knows that had he come 6 minutes later the Congress would have already been adjourned, and the deficiency bill would have gone.

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. LONG. I yield for a question.

Mr. BLACK. That the Senator from Alabama does know, and conceding, for the purpose of the argument, that the Senator from Louisiana is solely and singly responsible for all that has ever been accomplished in the Senate since he has been here—

Mr. LONG. Oh, no; I deny that.

Mr. BLACK. Does the Senator think that would justify him in filibustering at this time to deprive the railroad men of the United States having put into effect a bill to give them retirement and pensions, and does he think that that would justify him in filibustering to death appropriations to take care of crippled children and blind men and women in this country and sick children and sick mothers? Does he believe, even if he has done all that he claims, that justifies him now in killing and destroying a bill that, if enacted, will carry happiness, comfort, and some sort of light to the aged poor, to crippled and sick children, and sick mothers?

Mr. LONG. Let me answer that by asking where was the Senator from Alabama last Saturday night when we were holding the session open?

Mr. BLACK. I was here.

Mr. LONG. Does the RECORD so show?

Mr. BLACK. The Senator from Alabama was here, but he was not attempting to take all the credit for the amendment which the Senator from South Carolina so ably presented; and the Senator from South Carolina did not need the assistance of the Senator from Louisiana to put over that amendment.

Mr. LONG. He did not? Is that so?

Mr. BLACK. That is true.

Mr. LONG. Well, I am glad to hear that.

Mr. BLACK. And everybody but the Senator from Louisiana knows it.

Mr. LONG. I am glad to hear that.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. LONG. No; I do not yield.

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. SCHWELLENBACH. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. I ask, Mr. President, if, under the rules of the Senate, the Senator from Louisiana has the right, in order that he may make publicity for himself before the galleries, to prevent the passage of laws which will give to the people of the United States the privilege of old-age pensions, widows' pensions, allowances to crippled children, and allowances to the blind, in the same way as he has done as dictator of the State of Louisiana ever since he has been in charge of the affairs of that State?

The PRESIDING OFFICER. Under the rules of the Senate, the Senator from Louisiana has that right.

Mr. LONG. Of course, Mr. President, I do not reply to that kind of statement, and I am going to ask the Chair to protect me against a repetition of such inquiries. I believe the Chair has already ruled once or twice that they are not parliamentary inquiries. I have stood these things once or twice, and I want to protect the remainder of the Membership of the Senate. I do not want my trembling and fear to be reflected on other Members of the body. I do not want any more of those than I can help.

Let me say this: With the clock showing the approach of the dead line the other night we were trying to save minutes in order to save the deficiency bill. I do not care whether the Senator from South Carolina wants my help or not. That does not make any difference to me. The Senator from North Dakota [Mr. FRAZIER] had an amendment as well. He prepared his amendment and offered it to the amendment of the Senator from South Carolina. It does not make any difference with me. I do not care whether he wanted my help or not.

I am not representing Senators. I am representing the people of the United States of America. I am representing 125,000,000 people as well as my own State, and so does every other Senator represent his country first. Therefore, representing my country, I have never asked any Senator in this body how I ought to represent my country and my State. I do not think that they will tell me how I should represent my country and my State. I do not think they will ask me how they should represent their country and their States. This Government is the property of all the people of the United States of America. It belongs to nobody, to no Senate, and to no Senator. That is the situation which prevails at this time.

I did what I set out to do. I shall show the RECORD. When the Senator from Arkansas [Mr. ROBINSON] rose and moved for another recess, what occurred? When he rose and moved that the Senate recess, does the RECORD show that anybody else rose except the Senator from Louisiana? It does not. It shows that nobody rose but the Senator from Louisiana to object to the recess, and to say, "Oh, no; I want to hold the Senate in session."

After the Senator from Arkansas had said that in his opinion the bill would not come back, I said I wished to hold the Senate in session and take the one chance that perhaps we could bring it to a vote and get it passed. Five minutes before the stroke of 12 the messenger came to the door, whereupon, as I think the RECORD will show, I asked the Senator from South Carolina [Mr. BYRNES], then occupying the floor, to yield that we might have the message brought to the desk. That is a matter of record.

Oh, I do not expect credit in the Senate. I do not expect credit from Senators. We do not need that here among us. I do not need credit. I do not need a job in the Senate. I do not need a public position. I am one man who has never needed a public office since I started holding them. I am one man who can say that every year I have held a public office, I have spent more for the public office than the public office ever paid to me.

Why did I take the stand I took here from and after March 5, 1933, against an administration that was being deified here? Because I do not need public office and do not care for public office. I want to serve the people of the United States even though they do not understand I am fighting for their welfare along the line that means most to them. I have no fear of losing public office because it

does not mean a thing under the living sun to me. Public office means nothing.

I would give my own example as advice to my colleagues even though it should brand me with a lack of modesty. I would say to every Member of the United States Senate. I should like to put up the example of a man who did not have a newspaper in his State with him.

I should like to call attention to the example of the man who had every political organization in his State against him. I should like to call attention to the example of the man who had every big corporation in his State against him. If that man, with less than one-tenth the employees that his opposition had, with no newspapers at all, could, nonetheless, fight the national administration and still be unopposed, I would say that man knew what he was talking about. I would recommend to my colleagues who prefer to stay in this body a great deal more than I do that they look up that example and follow it just as much as they think it throws light upon a good course of conduct, but no further. Perhaps they might not approve of it.

That is why the people of the United States tomorrow morning, tonight, and tomorrow morning, back at the forks of the creek, will understand. I do not care what the occupants of the galleries think, I do not care what the public press may think. I do not care what someone else may think. But back over there on the forks of the creek and in the blacksmith shop and filling station, tonight they are saying: "I hope to see the Houses of Congress commence legislating in the most regular way." They are saying that. They would uphold my hands. They will uphold our hands in that pronouncement, I am sure.

Mr. President, If I may now proceed in order, I have a high regard for my friend from Alabama. I think more of him than he does of me, a whole lot more. I do not care what his opinion is of me. That does not need influence my opinion of him.

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. LONG. I yield for a question.

Mr. BLACK. If the Senator does think anything at all of my judgment—

Mr. LONG. I think very little of the Senator's judgment.

Mr. BLACK. And of my desire to do something for the people who need it, why does he not stop? It is only an hour and 25 minutes to midnight. Why does he not stop and give us a chance to vote on a bill which would put the Railroad Pension Act into effect, which would aid the blind, which would aid the old people, which would aid the crippled children and the sick children? Why does the Senator not stop and permit this to be done? He knows he can defeat the bill.

Mr. LONG. I wish to say in answer that there is a motion pending to reconsider the vote by which the bill was passed. If the Senator from Alabama will tell me that the Senator from Arkansas, making the motion to undo the vote that has already passed the bill, will withdraw it then I shall yield, and we will send the bill out of here.

Mr. BLACK. Mr. President, will the Senator yield further?

Mr. LONG. I yield for a question.

Mr. BLACK. The Senator knows that it is impossible for him to make the country or the people at the forks of the road or in the blacksmith shops believe otherwise than that if this bill shall be defeated and this money shall not be appropriated for the crippled children and to carry on the Railroad Pension Act, the Senator from Louisiana, and the Senator from Louisiana alone, will be responsible for depriving them of those benefits. It is only an hour and twenty-two minutes until midnight.

Mr. LONG. I know it has been announced on the floor that the purpose of the whole proceeding is to take the wheat farmer and the cotton farmer out of the bill. I know that is the only reason why the Senator from Arkansas has tried here tonight to pursue the course of conduct which has brought us into the present situation. The bill has already passed, but has come back to go through a series of parlia-

mentary maneuverings so as to take the wheat farmer and the cotton farmer out of the bill.

Does not the Senator from Alabama know that back in those States where wheat is raised some of those poor people are getting only 10 or 15 cents a bushel for wheat which has been damaged by the inclement weather and the dust storms? Does not the Senator know those poor people will probably be snowed in before long and have little to eat? Does he not know that there are thousands of starving people in those areas which are covered by the cotton- and wheat-growing sections of the country? Can he not envision the snow and storm engulfing those poor people this winter? Has the Senator no heart? Has the Senator from Alabama lost all sense of feeling for those poor people?

Mr. BLACK. Mr. President, will the Senator permit me to reply to his question.

Mr. LONG. I cannot yield except for a question.

Mr. BLACK. The Senator asked a question and I believe he ought to allow me to reply.

Mr. LONG. If there is no objection—

Mr. BLACK. Let me ask the Senator a question in reply: Does the Senator not know it is impossible for him, by these pyrotechnics and this display here, to deceive the wheat farmers into believing that he is helping them by this activity here tonight? Does he not know it is impossible, back in the farming sections of the country, to convince the wheat farmers that he is doing anything for their benefit?

He knows the bill will not be passed, but does he know that by filibustering against the bill he can defeat the appropriation for the aid of crippled children?

Does he know he can defeat the appropriation and prevent the acts for the relief of the railway men from going into effect, the men who work long hours on the railroad trains and who want to get a pension? Does not the Senator know—and he does know—that by his activity, if he keeps on filibustering for an hour and twenty minutes, he is going to deprive the people of this country of the benefit of improvements for crippled children—

Mr. McKELLAR. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. McKELLAR. May the Senator from Louisiana yield for a speech and hold the floor?

The PRESIDING OFFICER. Only for a question. The Chair assumes the Senator from Alabama is coming to the question.

Mr. LONG. I yield only for a question. Now I will answer the question, and I will not yield for any other question, because I want to get through with my speech.

Mr. BLACK. I see. The Senator wishes to filibuster this bill to death.

Mr. LONG. I wish to get through with my speech.

Now, I desire to say a word on a subject that I have not been able to get to. Gentlemen of the Senate—men whom I love, men whom I admire, many of whom I read about when I was a youngster, wondering whether or not I should have the distinguished opportunity of meeting in person and talking lip to lip and face to face with such men of study, learning, intellect, and refinement—I ask of you a consideration of this crude, unintelligible, more or less animal suggestion:

We of the cotton country live in a warmer climate than the poor people of the North and the West. Down in my good State of Louisiana and in the States which adjoin it the flowers bloom away up into the month of November and sometime clear through the month of December. It is a warm, balmy climate, Mr. President. You can always find fish and oysters and shrimp and crabs and fur-bearing animals. All the year round there is something of that kind going on. It is a warm, nice, enticing climate. The sky of deep, beautiful azure remains permanent more or less through the nighttime and through the daytime. Every sign from the canopy of heaven shows—

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the parliamentary inquiry.

Mr. SCHWELLENBACH. I am a new Member of this body; and I ask the Chair whether the older men and women of this country who have gone through their period of activity are to be deprived of an opportunity for a pension, whether the little children of the country who do not have the opportunity which they should be afforded are to be deprived of opportunity, whether the blind are to be deprived of the opportunity which this bill provides for them, simply because the Senator from Louisiana wishes to provide publicity for himself, and get himself in the newspapers, and talk to the occupants of the galleries.

The PRESIDENT pro tempore. The Chair cannot answer that question at the present time.

Mr. LONG. Mr. President, it does not make any difference who appeals to me, or who talks to me. It does not make any difference what is said or what is asked. I maintain a principle here tonight. I maintain that any other House should have a right to vote on a bill. I maintain a principle. I stand for the passage of this bill. I am for this bill. I am for every bit of it. My good friends here have a misconception of matters. It is not I who have undertaken to secure an amendment of the vote by which this bill has been passed. It is someone else in this body, more powerful than I, who now moves to undo the passage of the bill. Seek out, I beg of you, that man among you who has moved to undo the passage of the bill. Do not jump on me. I am the man who saved it. I am the man who kept it alive. I am the man who breathed life into a dying legislative enactment.

Ah! There was not a tear then. All the tears have been shed around me tonight over the proposition of permitting the wheat farmer to be left out. Oh, the tears! How the salty tide runs around me. I can feel it in every pore, how there is weeping, how there is everything expressing deep sympathy, to induce me to pause long enough to allow the motion of the Senator from Arkansas to prevail, to take the wheat farmer and the cotton farmer out of the bill. They never cried until the time came to take the wheat farmer out of the bill; but when the time came to take the wheat farmer out of the bill the crying began. Not a tear until the time came to take the wheat farmer out of the bill. Oh, no.

When I drive up through that part of the country in the coming year or so, I shall knock on the doors of those little wheat farmers, and I shall say to them, "I have come to see you. I am a United States Senator from Louisiana." "What! Are you the man who stood on the floor of the United States Senate on the 26th day of August 1935 and stood for my right to have the Congress of the United States say whether I should or should not have equal protection under the law? Are you that man?" I shall be the man visiting those people there, where there is more genuine human feeling and friendship for me than all the ability of the 95 other Members of the United States Senate can expect by the move they have made here tonight, if any one of them has made that move, for the amendment of the bill.

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. LONG. No, no. I have not much time.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. BLACK. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BLACK. May I ask if, under the concurrent resolution which has already been adopted, the Senate will automatically stand in adjournment at 12 o'clock, and if the automatic adjournment of the Senate will mean that the paragraph on page 10 of the bill which appropriates \$37,000,000 to the States to aid the aged poor will be defeated at this session of the Congress?

The PRESIDENT pro tempore. In the opinion of the Chair it will.

Mr. LONG. Ah, Mr. President, the bill appropriates some money for Louisiana, too. A lot of money for Louisiana is appropriated in all these appropriation bills, but it has to be sent to us from Washington. My men came up here to get

their part of the money. "Why", the Secretary of the Interior said—

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Washington will state it.

Mr. SCHWELLENBACH. I ask whether under this bill, which appropriates money for old-age pensions and for relief of the crippled and relief of the blind, if the government of a State cruelly refuses to participate in any old-age pension law or any relief for the blind or any relief for the crippled, whether there is any appropriation for those States whose dictators are so cruel that they will not permit their crippled or their blind or their aged to have any help?

Mr. LONG. I make the point of order that that is not a parliamentary inquiry.

The PRESIDENT pro tempore. The Chair is inclined to believe that it goes beyond a parliamentary inquiry.

Mr. LONG. Now, Mr. President, let me say further, continuing my statement, there is a bill here to give a lot of money to all the States for roads and various other things. My men came up here and went in to see Mr. Ickes, the Secretary of the Interior. Mr. Ickes had already given out a big, flannel-mouthed statement to the newspapers about me. "Why" he said, "that is the land of the Kingfish, isn't it? You want us to give the Kingfish this money." They said, "No; Senator Long is up here."

They called me Senator Long in his presence because he has never been elected to the Senate. He talks to the Members of the Senate as he wants to. He makes Members of the Senate look little. I do not go up there to see him. He does not get a chance to make me look little. I stay away from him. I have learned how to hold my dignity as a Senator. I do not go near these bureaucrats. No, sir! I stay away from them. I stand on my own ground; and when one of them comes to see me down in my neck of the woods, he knows I am on my home soil. Then I talk just as big as he talks; and he talks nicely, and I talk nicely.

You know, Mr. President, you can take almost any man up to the office of the Secretary of the Interior. I had a friend sitting in this body tonight—I believe he has gone home now—who went up to see Mr. Ickes, Secretary of the Interior, some days ago, and he had another United States Senator with him, my colleague [Mr. OVERTON].

Not a finer man ever sat in this body than my colleague, the junior Senator from Louisiana, a gifted, kindly, polite gentleman, who went with another man, much of the same type, another man from the South, to visit the Secretary of the Interior, Mr. Harold M. Ickes. They walked in, and Mr. Ickes said, "How many more of these delegations are going to come up here to see me about this matter?"

My colleague, the junior Senator from Louisiana, paused, but the Senator from the other Southern State stepped up and said, "Now, just a moment, Mr. Secretary. We do not have to take anything off of you at all. We came up to see you on public business, but if you do not want to see us you can get out, and I want to tell you, you be more respectful to me or we will get out."

"Well", he said, "Come in, if you want to. What is it?" So they talked a moment, and got out.

About a month later a college president came here. Every man in the United States Senate knows how much time a Member of the Senate has to run much outside business and make a living. I think most of the Members of the Senate know about how much time any one of them would have to go around running other businesses. If we run our own business we do pretty well. But this other fellow went up there, a college professor. They loaned \$1,700,000 to Louisiana State University, Sherman's old war school. That old university has become quite modern. Its standards have been raised. Mr. Jesse Jones, up at the Reconstruction Finance Corporation, would be a pretty good fellow if they would let him alone; he means to be a decent fellow, and would be if he were let alone. Of course, he is in some bad company, like all of us, sometime, and he cannot help himself; but Jesse Jones would like to be an honest man.

The Reconstruction Finance Corporation said, "All right; we want the credit of lending Louisiana State University \$1,700,000. We want to tell you that it is your money."

But, the professor said, "Senator Long told us we would not get the money."

"Well", he said, "I want to tell you, you will. Here it is, and you take this engineer away from here down there and you start to work and send us your bond, and the money will come right back."

They came into the Roosevelt Hotel lobby one night when I was sitting up at the desk with the assistant manager; in walked the president of L. S. U. and the business manager and some man who was an engineer of the Reconstruction Finance Corporation. I said, "What is all this?"

The president stepped off and said, "We have \$1,700,000, and we are giving a statement out to the newspapers tonight."

I said, "Hold on. Wait a while."

"Oh", he said, "you do not know. This young man is the engineer they have sent down to start the work."

I said, "Hold on. I know those birds better than you do. Have you the \$1,700,000?"

He said, "No; but it is coming."

I said, "It is not worth anything."

That is not what I said, but— [Laughter.]

I said, "That does not mean anything."

But he said, "They have told us to announce it."

I said, "Do not announce anything of the kind. You will never get the \$1,700,000 from the R. F. C."

He said, "They would not turn down a university."

I said, "They will do anything. Now you wait."

Lo and behold, the Reconstruction Finance Corporation gave out the statement themselves. When they found out Louisiana State University would not give it out, they gave out the statement:

WASHINGTON, D. C.—The Reconstruction Finance Corporation announces today that it has loaned \$1,700,000 to Louisiana State University.

They gave it out. What happened? The university authorities said, "We will go ahead now."

I said, "Oh, no; you had better not. You have me as a member of your board. I want you to call the board together if you are going to start before you get your money, because I tell you they will permit you to let the contracts and start the work, and then they will give out a big announcement that on account of Huey Long they have decided not to go ahead with it, and then you will be out on a limb and unable to help yourselves."

What did the officials of the university do? They fished around with them, and made as if they had started to work. They started a job for which we had the money, over in another part, but we made the R. F. C. think we had started on the job for which they loaned the money. They waited until we got the arts and science building up to take care of 5,500 students, and out came the R. F. C. announcement that they had revoked the loan.

What did we do? We just laughed, and said, "Boys, you ain't heard nothing yet. [Laughter.] We have two million more dollars. We do not need a damned cent of your money. Keep it. We can do without it." And we did without it.

You are not going to treat us that way any more. You talk about going to send some money to Louisiana in this bill. They are not going to send us anything.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. No.

Mr. BLACK. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BLACK. The bill which is now under discussion, in addition to \$37,000,000 for the aged poor, provides on page 10 "Grants to States for aid to dependent children: For the grants to States for the purpose of enabling each State to furnish financial assistance to needy dependent children, \$18,000,000."

Mr. LONG. Yes.

Mr. BLACK. May I ask the Chair, if the Senator from Louisiana continues to filibuster from now until 12 o'clock,

will that defeat this provision for \$18,000,000 for needy children all over the United States?

The PRESIDENT pro tempore. In the opinion of the Chair, it will.

Mr. LONG. Mr. President, now that the Senator has propounded his usual inquiry—

Mr. BLACK. I will propound another one if the Senator desires.

Mr. LONG. I hope the Senator will not. Let me talk until I get through. I have very little time left.

Mr. BLACK. The Senator has an hour in which to kill the bill.

Mr. LONG. I am not killing the bill.

Mr. BLACK. The Senator is killing the bill, and he knows he is killing the bill.

Mr. LONG. No; I am not.

Mr. BLACK. He is deliberately killing a bill that would furnish food to hungry children and to blind people.

Mr. LONG. I am not. I want to finish telling about this Louisiana business down there. [Laughter.]

Mr. BLACK. The Senator wants to talk about anything that will deprive blind people and crippled children—

Mr. LONG. No—

Mr. BLACK. And sick mothers and sick children of help.

Mr. LONG. I will stay right here, and do not tell me—

Mr. BLACK. The Senator knows he is killing it, and that is what he is trying to do.

Mr. LONG. They say to me, "We will run off and not pass any bill. We will not stay here with you and pass the bill if you do not agree to cut out something."

Mr. BLACK. The Senator knows that in order to get publicity he is destroying the bill.

Mr. LONG. I object to this interference. I ask to be protected.

Mr. President, I wanted to read something from the rules, and I find I have not the place marked. This is what I am trying to do. Wait until I get through. We appropriated out of this \$4,800,000,000 some road money, and I want everyone to listen to me; and if I am not telling the truth, judge me not to be a man fit to sit in this body.

They appropriated some money for roads. Louisiana's part was \$6,000,000. The Louisiana Highway Commission is the best in the world. They will tell you over in the good roads bureau that we have the best road building institution in the world, the strongest roads, at the lowest cost, on the most difficult soil.

The highway commission got up its designs for the roads, it submitted them to the good roads bureau, the good roads bureau sent its district engineer from Dallas, Tex., over to Louisiana, and he approved every project and everything under the \$6,000,000 appropriation.

What happened, Mr. President? They said, "This has to be approved by the State emergency administration." So the Federal engineer—get this—the State Federal engineer, and the district Federal engineer, and the chairman of the highway commission took those projects, approved by the United States Bureau of Public Roads and by the State of Louisiana—

Mr. SCHWELLENBACH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. LONG. I decline to yield.

Mr. SCHWELLENBACH. Mr. President—

Mr. LONG. Mr. President, I make the point of order that I should be let alone.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SCHWELLENBACH. I submit to the Chair the question whether or not, because of the desires of the Senator from Louisiana to secure publicity for himself, if he filibusters against the bill for an hour and five minutes longer, he will deprive the States of the grants provided on page 11 of the bill, as follows:

Grants to States for aid to the blind: For grants to States for aid to the blind, as authorized in title X of the Social Security Act, approved August 14, 1935, fiscal year 1936, \$2,250,000.

Will the effort upon the part of the Senator from Louisiana to secure publicity for himself deprive these blind people of that aid?

Mr. LONG. Mr. President, I make the point of order that that is not a parliamentary inquiry.

The PRESIDENT pro tempore. Part of it is a parliamentary inquiry. The other part is not. If the Senator from Louisiana will make the point of order that a portion of the inquiry is not a parliamentary inquiry, the Chair will act.

Mr. LONG. Oh, no; I do not make any point. Let it go.

The PRESIDENT pro tempore. The Chair will state that at 12 o'clock, under the concurrent resolution adopted by both Houses, the Senate will stand adjourned sine die; and if the bill shall not be acted on prior to that time, all the appropriations provided by the Senate will fail.

Mr. LONG. Now I wish to be permitted to finish my Louisiana story, which is relevant to this case.

Here is what happened: I was speaking of the road projects. These road projects were approved by the Federal Department and by the State. They went down to the Federal emergency relief administrator they have down there—a political enemy of mine, who does not hold any office in the State now—and he had another gentleman down there with him, and they said, "We cannot act on it." The Federal engineer said, "What is wrong?" He said, "We have orders to submit this thing to Washington before anything is done, and we do not know what to do. We must wait to hear from Washington before we can do anything."

With Louisiana being held up in that way, and such things being done, do Senators mean to tell me Louisiana is losing anything? Louisiana is not losing anything, and Louisiana knows it is not losing anything. Oh, yes; it is true it is provided in the bill that they have to send us a little pie dough down there, enough to take care of 1 out of every 400 men. That is what the bill provides—1 out of every 400. We do not think they will send us that.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me for the purpose of making the point of no quorum?

Mr. LONG. I think, under the rules of the Senate, if I yield for the purpose of making a quorum call I will lose the floor. I ask the Chair if that is not so.

Mr. LA FOLLETTE. No; the Senator will not, because on the first point of no quorum there was unanimous consent that he should not lose his privilege of the floor.

Mr. LONG. I do not wish to yield.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

Mr. LA FOLLETTE. Just a moment. Will the Senator from Louisiana yield for a point of no quorum?

Mr. LONG. No; I do not wish to yield.

So that is the way the matter had been handled and that is the way it has been done.

We are good sports. We are good fellows. We have had it done to us in such a way that we do not understand all about it. We can get by. We can make a good living and exist, but I do not know about anybody else being able to do it. That is something I cannot tell Senators. I do not know.

I will tell Senators that there is such a thing as putting a gun to the man's head and saying, "Either you do this, or I am going to shoot", and the one holding the gun will say that you committed suicide because you did not do what he said. In this case somebody says to me, "We will adjourn by 12 o'clock if you do not let us take this amendment out of the bill." "Well", I say, "I refuse to be a party to cutting the throat of the wheat farmers and the cotton farmers of the United States."

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. No; I do not yield.

The PRESIDENT pro tempore. The Senator from Louisiana declines to yield.

Mr. BLACK. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BLACK. If the Senator continues his filibuster to 12 o'clock, even though he says he does not want to cut the throat of the wheat farmers, may I ask the Chair if it is

not cutting the throat of the railroad men who have had a pension bill passed; and will not the action of himself, or himself and the Senator from Oklahoma [Mr. GORE], or anyone else, result in defeating the passage of the part of the bill, page 9, which provides \$600,000 to carry on the work of the Railroad Pension Act?

The PRESIDENT pro tempore. It will defeat the passage of that part of the bill, as well as all the rest of it.

Mr. LONG. Mr. President, I hate to hear my friend from Alabama ascribe to any one Member of the body authority which he is too good a parliamentarian to believe he has. He knows Congress can stay here. Congress does not have to run away tonight—not a bit of it. Why should the Congress have to leave tonight? It does not have to do that.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. No; just a moment. I should like to be permitted to speak a little while during my time. Two-thirds of my time has been taken up by asking me questions and by parliamentary inquiries. Senators have talked about my filibustering. If Senators will read the RECORD, they will find that parliamentary inquiries and points of order have taken up two-thirds of my time. When, as a matter of fact, I am trying to talk, Senators are yelling about my making a filibuster. How is a man to get through if he is interrupted all the time? I have not yet finished answering all the questions which have been asked of me.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. No; I refuse to yield, but the Senator can make another one of those parliamentary inquiries, and so I suppose that is what will be done.

Mr. BLACK. Will the Senator yield?

Mr. LONG. No; I do not yield.

Mr. BLACK. In other words, the Senator does not wish to be reminded of what he is doing by his filibuster?

Mr. LONG. No, sir.

Mr. BLACK. I do not blame him.

Mr. LONG. On the contrary, last Saturday night, when I saved this bill—

Mr. BLACK. The Senator and Cock Robin saved the bill.

Mr. LONG. Yes; I and Cock Robin saved the bill.

Mr. LA FOLLETTE. Mr. President, will the Senator yield for the purpose of making the point of no quorum, without his losing any privileges?

Mr. LONG. No, sir; I do not wish to yield for a quorum call.

Mr. LA FOLLETTE. Without losing any privileges?

Mr. LONG. No; I do not yield for a quorum.

I make the point that this bill may become a law. Everyone knows how to have the bill become a law. It is very clear how to have it become a law. All in the world that is needed is the action of the two branches of the Congress.

It has been acted on by one, and only by one, at this time.

No, Mr. President; I am willing to have the bill take its reasonable course. I have not moved to recommit the bill. I have not moved to reconsider the vote by which the bill was passed. None of those motions have I made. I have not made a single one of them, nor have I moved to have Congress adjourn. On the contrary, I have opposed Congress adjourning. I have opposed any Member in this body or out of this body being able to come in here and say, "We are going to leave here at this hour." I opposed a majority of the Members saying, "We are going to leave here at this hour, and we are not going to wait another minute. Either this bill shall be passed in a certain way or it will not be passed at all, and it shall be passed by a certain hour; otherwise, no other tribunal in the country shall give it consideration."

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. LONG. No, sir.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SCHWELLENBACH. I ask the Chair whether or not, as the result of the persistent filibustering tactics of the Senator from Louisiana for the purpose of getting publicity

for himself, if he continues until 12 o'clock it will be possible for him to prevent the passage of the bill, which provides, on page 23, line 12, grants to States for maternal and child-health service in the amount of \$2,850,000?

The PRESIDENT pro tempore. The Chair stated that at 12 o'clock the Senate will adjourn sine die; and if a vote shall not be taken by that time the bill will fail with all its appropriations in it.

Mr. LONG. Two million dollars! That is not a drop in the bucket.

Mr. BLACK. It is more than they will get if the Senator continues as he is now doing.

Mr. LONG. Two million dollars, and one shipping concern gets \$4,900,000 in clear profits, and another one gets \$6,500,000, and you are giving \$2,000,000 to 130,000,000 people! Two million dollars! Pie dough, not enough money to grease the skillet for frying ham and eggs for breakfast!

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SCHWELLENBACH. I ask the Chair to submit to the Senator from Louisiana if he thinks either the Senator from Alabama or I have ever favored any ship subsidy of any kind?

Mr. LONG. I do not know about the Senator from Alabama or the Senator from Washington except that I wish the Senator from Alabama and the Senator from Washington would let me alone. If they do not want the publicity, they can keep from getting it by letting me alone here.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SCHWELLENBACH. I submit to the Chair the parliamentary inquiry to determine whether or not it is possible, despite the fact the Senator from Louisiana refuses to yield, for the Senator from Alabama and the Senator from Washington to transmit to the Senator from Louisiana the information that our interest is not in publicity, as is his, but it is a desire to pass this very humanitarian measure, and have it enacted into law.

The PRESIDENT pro tempore. That seems to be the parliamentary way.

Mr. LONG. I wish to say I have always accorded to my friends from Alabama and Washington the having of good motives, and I hope they will show good motives by not taking up my time which they say is very short, and which I assure them I have no intention of yielding. I wish to stand on my own feet and on my own judgment.

Mr. BONE. Mr. President, will the Senator yield for an inquiry?

Mr. LONG. I prefer not to yield.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. BONE. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. LONG. I wish I did not have to yield, and if I could keep from it I should not yield, but if I have to do so I yield.

Mr. BONE. I should like to know from the parliamentary clerk where in the bill any reference is made to ship subsidies, a subject in which I am profoundly interested?

The PRESIDENT pro tempore. There is no reference of that kind in the bill.

Mr. LONG. The Senators talk about \$2,000,000 for maternity cases in the United States. According to the Record, a special rule was brought in in another body providing for ship subsidies of \$6,500,000, of \$4,900,000, or \$2,000,000, and of \$3,000,000, which were written in, and yet Senators talk about 2 by 4 pie dough of \$2,000,000 for maternity cases.

Mr. President, I was the one who stood here and took the step that kept this bill from dying last Saturday night. Oh, no! Someone wants to be heard on the outside to say it would have all passed if it had not been for Huey Long on Monday night, but they do not want to say that we were all ready to walk away without it Saturday night.

I will take care of myself. Do not worry about me. I will take care of myself. I used to sit on the Railroad Commis-

sion of Louisiana when there were three members—the public-service commission of my State. Year in and year out I used to sit on that commission when I would be the only man in the hearing room to be heard on the side of the people of my State. I was called the "minority member" of the railroad commission. Month in and month out I sat there, and moved and saw it voted down, and resolute and saw it voted down, until it became a funny thing. Nevertheless, I was not carried away by the assemblage of persons present. I was not carried away by the other two members. Where are the men who sat on the railroad commission with me? Their names are no longer on any public pay roll in any State or nation. Mine has been there ever since, as well as before.

Where are the men who served with me when I was Governor of Louisiana? Did I not see a body, by a majority vote of some 60 to 70 percent of its members, walk in and prefer impeachment charges, and a few months later saw the same men go in, or some of the same men go in, and withdraw the same charges? Where are the men? There are very few of them seen or heard of today.

I know how to take care of myself. I do not need any help.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. LONG. No; I do not yield.

The PRESIDENT pro tempore. The Senator from Louisiana declines to yield.

Mr. LONG. I do not need any advice. Give advice to someone who needs it. I do not need it. I do not need any advice. I know that if this bill went over to another body and was voted down by another body, or that part of it which was not concurred in by another body, I ought to retire and yield to it. But I do not know, when another body is given no right to vote on it, why I should turn and run and say, "Let us have a vote by another body that someone is willing for that body to have." I am not going to do that. I am not taking that view of it in the Senate of the United States.

I understand from some article in some paper that I am standing tonight at the desk behind which John C. Calhoun stood many days ago, right in this body or near here, or in this continuing body where Webster and Clay and Calhoun defended the great Constitution and the legislative system of this country.

Mr. MINTON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MINTON. Is that the anticlimax about which the Senator is speaking?

The PRESIDENT pro tempore. The Chair has no way to answer the question.

Mr. LONG. It is not a climax. There is not enough power under the canopy of heaven to beat me in an election to come back to this body, but men like the Senator from Indiana will be back over in Indiana with an R. F. D. address when I am still here. [Laughter.] I shall be here many years.

I know, Mr. President, that I have been here watching these things, hoping, not that my will shall be followed—oh, no. I cannot expect the Members of the Senate to agree with me every time or most of the time for that matter. I have very singular ideas. I believe no man should be too big in the wealth of the land and no man should be too poor. I believe in the old doctrine which comes from the Scriptures and the ancient philosophers that no man should have too many times what the other man has. I expect very few Members to agree with me at times. Some of them do agree. I am sure some will agree.

At least I can say this: I ask that the Members of this body at all times be given the right to express themselves and to vote on bills that come here. What kind of a Member of this body would I be if tonight there should walk in the door of the Senate Chamber someone who gave us a bill and some Member of the Senate should say, "Oh, no; we will not let the Senate vote on this bill", and I would say, "As a Member of the Senate I demand the right to vote on the bill in the Senate", and the chairman of some committee would say, "Oh, no; you cannot vote on this bill", and finally some other body was called in to take the power away because of

the fact that I was not allowed as a Member of the Senate to cast my vote on it.

Leave? Why should the Congress leave? We would have left here Saturday night, maybe much earlier. Why should we leave? Why do it? Why stand here with a motion to annul the vote which gave life to this bill? Why? Why? It is done to take the wheat farmers out. It is done to take the cotton farmers out.

Remember, the Democratic Party wanted me to go out and talk to the wheat farmers of this country for the Democratic Party. The Democratic Party will be calling for me again. Do not forget that.

The very Senator who is being assailed tonight by the Democratic Party will be the Senator the Democratic Party will want to go out to that wheat country again. I am not going, either. I have been there my last time. I am not going back. I was sent out there to tell them some things last time, and they have not been done. I am not going back to tell them again in that capacity. If ever I go back, I shall be able to tell them what the facts are. I shall be able to tell them what the law is, and what they may expect. I shall not be afraid to go anywhere. I shall be welcomed by these people for standing for republican government.

Every schoolboy who has ever read history, every schoolgirl who has ever studied civics, every man, woman, and child in this country who has ever read the Constitution of the United States and been given to understand that the Houses of the Parliament of America had a right to vote up or down on laws, will uphold my stand on this matter—every one of them.

Oh, no; there is not a question about it. We know where we are, and I know where I am. I know that if the tombs could open, and such men as Benton and Webster and Calhoun and Clay could rise from them tonight they would look upon this body with all humility in their faces and beg that for once the Senate be a Senate, as it is intended to be, in all respects and particulars.

Mr. BLACK. Mr. President, will the Senator yield? I think that is true.

Mr. LONG. I thank the Senator.

Mr. BLACK. If they could look at the Senate now, if they could see what the Senator has been doing here tonight, I think they would have a sense of humility and shame.

Mr. LONG. For one time the Senator from Alabama rises to give approval to me. He is improving. His conduct is showing marked improvement as we go along.

Mr. BLACK. Will the Senator yield?

Mr. LONG. The Senator has been so nice that I will yield for a question.

Mr. BLACK. The Senator is fine on receiving laughter from the galleries, but I ask the Senator if he thinks he will receive laughter from the old people who are deprived of their pensions by his filibuster; from the crippled children who are deprived of their medicine by his filibuster; from the mothers who are sick, the children who are sick, and who are deprived of their medical treatment on account of his filibuster; from the blind who are deprived of the money needed to take care of them by his filibuster; from the railroad men who desire to see their pension fund start in operation and who are deprived of having it done by his filibuster. Does he think they will smile and laugh at his witticisms and his smart sayings?

Mr. LONG. I do not suppose the Senator means that question to be answered, of course.

Mr. BLACK. Yes; I thought perhaps the Senator would answer it.

Mr. LONG. Then I will answer the Senator. I did not know he expected an answer. On the contrary, I have stood here tonight and tried to get this bill passed, insisting that this bill be passed.

What is the question before the House? May I answer for myself? It is whether or not we will rescind the vote by which the Senate passed this bill, which has never been voted upon in another body. Here is a bill that has already been passed by this body with a clincher on part of it.

A motion to reconsider has been laid on the table, which is supposed to foreclose the matter.

Mr. BARKLEY. Mr. President, will the Senator yield? No clincher has been put on this bill, nor on any amendment that was adopted to it. The Senator has repeated that statement over and over again, but it is not correct.

Mr. LONG. Then I was mistaken.

Mr. BARKLEY. The Senator was mistaken, as he is about most things.

Mr. LONG. I do not know about that. I might be mistaken about a little clincher, a little something like that. I did not have time to look it up. My recollection was that a clincher was put on the motion that sent the bill over to the House.

Mr. BLACK. Mr. President, will the Senator yield for one more question?

Mr. LONG. Yes; I yield for a question.

Mr. BLACK. Does the Senator believe he can fool the railroad men of the country, with all the intelligence they have, into believing that he is not responsible by his filibuster for the defeat of this measure? Does he think the railroad men have little enough intelligence, with some of their representatives perhaps sitting in the galleries now, not to know that he, and he alone, by this filibuster, is preventing the passage of this bill, and will prevent the appropriation to set up their fund?

Mr. LONG. I do not think I can fool the railroad men, and I do not think the Senator from Alabama can fool either them or the wheat farmer.

Mr. BLACK. The Senator is correct.

Mr. LA FOLLETTE. Mr. President—

Mr. LONG. And I do not think the railroad men, or any other men, will forget that last Saturday night the Senators were all sitting here with not a tear in the eye of a single one of them, waiting for this thing to go to its death, and it took my voice and my hand and my ingenuity and every other thing I have—very little of which I claim in the way of any ability—to keep this thing from dying a natural death. There were no tears from them then. Tonight what are they doing? Tonight they are moving to reconsider, and in order to get the bill considered by another body we have to take the farmer out of the bill.

If the two Houses of Congress want to take the farmer out of the bill, I am willing for them to do it; but I am not willing to take the farmer out of the bill on the assumption that some other body wants him taken out of the bill. I want the other body to have the opportunity to take the farmer out of the bill, and I do not want it done by any individual.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. LA FOLLETTE. Will the Senator yield to have two letters read?

Mr. LONG. No; I will not. I will not. I do not want the Senator from Wisconsin to take my time in reading any letters. He can come down to Louisiana and read them, if he wants to. I can take care of myself down there.

Mr. LA FOLLETTE. Will the Senator permit their being printed in the RECORD?

Mr. LONG. Let the Senator get up and read them in his own time. I know what the Senator wants to do. He can do anything he wants to do about me. Come down in Louisiana; tell the people not to elect me, and see whether they will or not. I am not going to surrender and allow anybody to tell me that we have to back up on a bill that passed the Senate, because another body will not be allowed by somebody to consider it. I do not want any advice about it.

Mr. LA FOLLETTE. All I am asking is that the Senator permit these two letters to be printed in the RECORD without his losing the floor.

Mr. LONG. I do not want to do that. I will not do that. I have a right to take the floor and go through with my speech. I have been interrupted many, many times tonight. I do not want any advice. I am trying to tell my colleagues that I do not want any advice. I am not asking any.

Mr. BONE. Mr. President, will the Senator permit these letters from railway organizations and union organizations to be read from the floor?

Mr. LONG. I will not yield, Mr. President.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. BONE. Very well. Then, let the Senator take the responsibility.

Mr. LONG. I will take the responsibility.

Mr. BONE. The Senator will.

Mr. LONG. Certainly, I will.

Mr. BONE. The Senator will, whether he wants to or not.

Mr. LONG. I take my own responsibility. I have not asked anybody to help me. I have asked, and the only thing I ask now is that this bill go over to another body and that the other body vote, and that we not back up on a bill here before some other body has had a chance to vote on it; that is all.

What are you going to do about the wheat farmer? That is what I am asking you. Why are you throwing out the wheat farmer? Nobody knows. I have stood by labor, not for what labor could do for me. Union labor could not do anything for me. They could neither help nor defeat me in any election in my State, nor could they affect a thousand votes one way or the other—not a jot nor a tittle.

I have a 100-percent labor record. I never took a lawsuit against a working man in my life. Professional jobholders do not aide a bit. While I have made earnings up in the fifty and sixty thousands of dollars as a lawyer, and somewhere close to a hundred thousand dollars a year, I never took a lawsuit against a working man in my lifetime.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. I do not have to ask anybody what I have to do when it comes to these matters. I have stood for the cause of labor, and whenever labor tells me to cut the throat of the wheat farmer, I will tell labor I will not cut the throat of the wheat farmer; and when the wheat farmer tells me to cut the throat of labor, I will not cut the throat of labor for the benefit of the wheat farmer.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. I will not come here and sell out my own soul for anything on earth that I think impugns the entire existence of a constitutional, republican form of government.

Mr. BLACK. Will the Senator yield?

Mr. LONG. No; I will not. Will not the Senator let me alone, and let me make my speech?

Mr. BLACK. The Senator is occupying all the time before we are to adjourn.

Mr. LONG. I ask the Senator to let me alone. I decline to yield.

Mr. BLACK. Will the Senator yield?

Mr. LONG. I will not.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. LONG. I will not yield; no. If I had not been interfered with, I might have been through by this time.

I will not take the position; oh, no! The big Senate leaders, the big politicians in the White House—some of them may convince the labor leaders that they have to do what they tell them to do, and with their fire and brimstone the labor leaders may think they have to do it, but they will not convince me I have to do what the White House says ought to be done. I will do what I know ought to be done. I have my conscience and the Lord only to answer to.

I know what my people say. I will be going into many a State for some of these Senators sitting around me tonight to help them.

Father, forgive them; they know not what they do. Oh, if they just had good judgment like that of old Andrew Jackson, whose backbone was as big as a wagon tongue, they would have said, "Oh, no; stand up and send this thing to a vote."

Think of it! Think of it! No other body has voted against the bill. The only body that has cast its vote on the bill has been the United States Senate. Nonetheless, we

are told to cut the throat of the wheat farmer tonight when no other body has voted on the bill. No other body has even made a gesture of voting on the bill. The only body that has been permitted to vote on it has been the Senate, and they come in and cut the throat of the wheat farmer, and they have the wheat farmer to answer to.

They talk about people being deprived of benefits, because they say they will jump and run away and will not meet after midnight. They will not meet after midnight, and will not let the vote be taken, unless it is done this way or that way; no other body but the Senate will have a chance to vote on the bill. So under that kind of condition someone has to yield.

Louisiana stood and saved this Union once, in 1815. Louisiana stood with two companies of Tennessee mounted riflemen, that is all, and saved this Union. If you read the Treaty of Ghent and the proceedings at the conference where that treaty was made you will find that Pakenham's army, which was taken from the army of the Duke of Wellington in the Peninsula Campaign, was sent to take charge of Louisiana Territory practically coincident with the negotiations being carried on at that time in Ghent, at the very time they were carrying on what were supposed to be the concluding proceedings in Ghent. They sent the army which the Duke of Wellington had started in the Peninsula campaign and carried to Paris, and brought them to America so that they might be in charge of American territory.

The Treaty of Ghent left it so written that the possession of the Louisiana Territory by that English army meant the ownership of the Louisiana Purchase by the English. If it had not been for the Battle of New Orleans, and the repulse of the forces of General Pakenham at the Battle of New Orleans on the 8th day of January 1815, all we would have had left would have been the Colonies on the Atlantic coast. It was Louisiana that stood for the country of America, for the Republic of America, and it was the citizens of Louisiana at the Battle of New Orleans who kept America from trading away its own great expanse of territory, which really made this a country.

I wish to say, Mr. President, that the State of Louisiana will back up the principle I am enunciating here tonight. The idea of a sovereign country being told, "Here is a bill. We will not let anybody but the Senate vote on it in this shape. The only outfit that will be allowed to vote on it is the Senate."

Who has the right to give that kind of an order? Who has the right to say what the Senate or any other body may do? Some other body might have the right to say that it does not prefer this or prefer that, but has someone on the outside or someone on the inside of another body the right to say, "We will permit no action by the other body on this kind of thing? Cut the throat of the wheat farmer, but you will go no further." That is what we have been given here.

They say they love the working people, they say they love the farmer. You do not have to go very far to do them a favor. Every little favor is being done them. The only favor they have to do is to let the Congress actually do them a favor. They come here and say, "Oh, no, we are not going to let the House vote on it."

Do you know what the people are led to believe? They are actually being told on the outside—and I deny it—that Members of the Congress, if certain bills come before them, the Senate particularly, would vote one way but wish the other, when I know that that is not true.

But actually some people undertake to have it thought that this body and another body, or other bodies, would prefer to have a thing done one way, or a certain thing not to happen, but if required to put themselves on record would vote the other way. That is the kind of thing which tends to undermine Government and undermine Congress, and, above all things, that is why it ought never be allowed to happen in such circumstances as these.

Mr. President, I have about concluded my remarks. I will not detain the Senate very much longer. I thank the Senate for the time which it has given me. Some of my

colleagues fear that there might be publicity. Let me assure them that there will be no publicity given except that which tries to do me harm. Even the big metropolitan newspapers, who argue for constitutional legislative government, will nonetheless condemn my effort to preserve it tonight. I know it. Do I not know that there is never a line of publicity that ever went into a metropolitan newspaper and magazine that did not seek to do me all the harm in the world? I have no chance with them. I have only my voice and my personal appearance to make before my people. [Laughter.] Anyone can imagine how much I have to answer for when I say my personal appearance. I have that to answer for.

The last thing my father ever told me was never to enter a prize contest for anything. He said, "You can never win. For instance, in my early days there was a Jewish merchant in this town and myself. When they came around to judge the best looking man in Winnfield the Jewish merchant and I tied for last place." [Laughter.]

I realize, gentlemen of the Senate and hearers, given a voice that is my own, and a mind that is my own, and a conscience which I hope is amenable to a higher power, and a face that only my mother could love, nonetheless I will stand here on the floor of the United States Senate to the very last minute and the very last hour, arguing and pleading for the preservation of the right of the two Houses of Congress of the United States to pass upon issues for which the people have sent them to this forum.

Although I know that even though the public press, which pretends to be for it, will condemn any effort I may make to preserve it, nonetheless it matters not with me; it does not make any difference with me. What do I care for a seat in the United States Senate, or if it costs me my seat? What is a seat worth in a body which is told, "You had better back up" on a bill before another body has even had a chance to pass on it? What do I want with a job like that? I would rather be out splitting staves and stacking staves. I would rather be right out there in the woodpile. I do not like to do the work, but I had to do plenty of it.

I would rather be right out with by broadax and my saw when any other living man is going to come up and tell me that the job I have is one which says, "You do this and you do it in a certain way." But, nonetheless, we have decided that before we will allow another body to have the right even to say how it stands we in advance must recede from our stand. We must do that before the other body has a chance to say what it wants.

No; I do not want any job like that; and if the people from Louisiana want someone who will do it they have the wrong man in the United States Senate. They never could do me a better favor in their lives than to turn me out of the United States Senate, anyway.

It does not mean anything to me. If I have to take that kind of domination among 95 other men who will stand for it, the best thing that could ever happen to me is to turn me out of the United States Senate.

This bill will either go over to another body or it will not go. It will either go out of this House and give some other body an opportunity to say whether they want it or not, or it ought not to go at all. That is how it will go.

Nobody will say to me, "It cannot go except in this form." This is the Senate. Liberty and Union. This is the Senate. Liberty and Union, one and inseparable? Liberty of what? Liberty of conduct of the Parliament. How much? Why is the present motion pending before this body tonight? It pends because it has been said by the Senator from Arkansas that his motive for making it is that it is the only means of securing action on the matter.

Mr. President, I have been here long enough to know how Members stand on various questions. I wish every Member of the Senate to listen to the concluding words I am saying. We talk around here, we talk to one another from lip to lip sometime on the floor, and we talk out in the cloakrooms and in the halls, and sometime we talk up in a closed office, where very few people hear what we say. I have heard many conversations, and so have all the Members here. Sometimes I imagine that I hear somebody complain about something

he is going to do. Sometime it seems to me I have heard—no doubt I may have been mistaken—someone say something to me in private, and then I have heard him speak on the floor in a manner which seemed somewhat different.

I hope Senators will bear one thing in mind: My remarks on the hustings and my remarks in the cloakrooms have been equivalent to what I have said here on the floor. What I have thought there I have thought here. I knew this thing was going to come to the present point. At the last session of Congress we had almost the same experience we now have. I knew it was going to come to this Saturday night, when we saved the bill Saturday night. I had had a similar experience before. Do I not remember when we voted to undo the Economy Act? The Senator from Missouri very aptly said, a few nights ago, after that time, "I told you that you were going up the hill, and that you would come down the hill." I did not come down, but a majority of the Members reversed their votes, and the Economy Act went by the board.

I knew another time when we made a terrible uphill fight, and then we came down the hill, and that was the last of it, and we did no more. I knew perfectly well on Saturday night that on Sunday morning there would be some influence at work, and that the final outcome would be that the Senate of the United States would be called upon to recede from its stand; but I never thought it would come before there was a vote in another body. I thought I should be called upon to recede from my stand. I thought at least there would be a conference between the two bodies; but I never for a moment thought it would be in such a manner as proposed.

I was reading, from the RECORD of the Senate, how this matter occurred. Now I will read a little bit further, in order that the position of the Senator from Alabama [Mr. BANKHEAD] may be heard by the Members here today in a little bit clearer light. I wish to have in my concluding remarks the remarks of the Senator from South Carolina [Mr. BYRNES] and the Senator from Arkansas [Mr. ROBINSON] as they appear in the CONGRESSIONAL RECORD of August 24:

ORDER OF BUSINESS

The Senate reassembled, at the conclusion of the recess, at 9 o'clock and 42 minutes p. m.

The VICE PRESIDENT. If the Chair may be permitted, he will yield to the Senator from Arkansas [Mr. ROBINSON] and to the Senator from South Carolina [Mr. BYRNES] to explain the possible disappointment of some Senators over the fact that the Senate was not called to order at an earlier hour. The Chair recognizes the Senator from Arkansas.

Mr. ROBINSON. Mr. President, a situation has arisen respecting the deficiency appropriation bill which is now brought to the attention of the Senate.

The bill, incorporating sundry Senate amendments, was returned to the House of Representatives late this afternoon. The House has taken no action regarding the bill, and it is my information that it does not intend to do so.

This afternoon a concurrent resolution was agreed to providing that each body, when it had concluded its labors on this day, should take an adjournment sine die. The question arises as to what action the Senate will take. The body at the other end of the Capitol is in session. It is expected to continue in session for a short time.

Under the concurrent resolution agreed to, automatically, at not later than 12 o'clock tonight, according to my interpretation of the concurrent resolution, each of the two bodies will stand adjourned. Either body is at liberty to adjourn at any time it chooses to do so before 12 o'clock.

That is when the Senator from South Carolina [Mr. BYRNES] spoke. He said:

Mr. President, first I should like to say that I advised a number of Senators that the Vice President would reconvene the Senate at 8:30 o'clock. There was a misunderstanding on my part. The Vice President had to take part in a conference and could not return to the Senate before this moment.

With reference to the deficiency bill, the fact is that the bill as it was passed by the Senate was sent to the House. All those of us who are interested in the passage of that bill desire that the House have an opportunity to vote upon the bill. If the House conferees should agree to meet with the Senate conferees, under the rules of the House the legislative proposals added by the Senate would have to be submitted to the House for a vote.

I am just advised by the Chairman of the Senate Committee on Appropriations that the Chairman of the House Committee on Appropriations has said that no conferees have been appointed on the part of the House, and that they do not desire to have conferees appointed.

Under the legislative situation now existing, as I understand, all that I can do is to enter a motion to reconsider the vote whereby House Concurrent Resolution 38, the adjournment resolution, was agreed to and then move that the House of Representatives be requested to return the concurrent resolution to the Senate.

Before formally making that motion, I desire to call the attention of the Senate to the provisions of the deficiency bill.

We have spent the entire summer in session. We have passed a social-security bill, and the deficiency bill carries an appropriation for the Board set up under that bill. Every expenditure of that Board is provided for in the deficiency bill. If the deficiency bill shall not be passed, the Board will not be able to function.

In addition to that, an appropriation is contained in the bill for the Labor Board which is absolutely essential if it is to function.

Provision is made for an appropriation of \$13,000,000 for the Soil Conservation Service, which is essential to the functioning of that Department of the Government.

An appropriation is made, under the provision for the Department of Commerce, for a census of the persons who would be entitled, under the old-age-pension law, to participate in the benefits of that act.

The legislatures of many States will meet in January. If this deficiency bill shall not be passed and if we shall not provide the funds, it is questionable, in my mind, whether it will not seriously delay the operations of old-age pensions and other provisions of the social-security bill.

Mr. President, all of those of us who are interested in the deficiency bill ask is that the House of Representatives vote upon the measure. Therefore I think the Senate has a right to ask the House, and I think it should ask the House, to return to the Senate Concurrent Resolution 38, because it is my belief that whenever that request is made, the Members of the House of Representatives will see to it that conferees are appointed to meet the conferees who have been appointed on the part of the Senate.

In my recollection of 14 years' service in the House of Representatives and my service in the Senate, never before have any two men undertaken to say that the House of Representatives will not appoint conferees on an appropriation bill to meet conferees appointed on the part of the Senate.

I wish to say that I am now reading from the remarks of the junior Senator from South Carolina [Mr. BYRNES]. He served in the other body for 14 years. He came here a little before I came here; he was elected at the same time I was, but I delayed coming here for a little over a year after I was elected in order that I might serve out my term as Governor of Louisiana. I promised my people when I had been elected Governor that I would not leave the office of Governor until another Governor had been elected. I served my term until Governor Allen had been nominated by the Democratic Party, and I left a few nights later and came to Washington, D. C., to take my seat in this honorable body.

I said the junior Senator from South Carolina served for 14 years in the other body, and he has served for about 5 years in this body. His colleague the senior Senator from South Carolina [Mr. SMITH] has served here longer than that. The senior Senator from South Carolina is a partner in the deanship on the Democratic side of this body. He and the senior Senator from Florida [Mr. FLETCHER] have served here, I believe, for about 27 years each. Perhaps I overstate it a little. I understand that the only one who has served here any longer than they have served is the Senator from Idaho [Mr. BORAH].

The Senator from South Carolina is a man who can be believed in in all respects and is believed by everybody in this body.

Mr. BLACK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BLACK. I notice that it is 10 minutes to 12 o'clock, and I desire to ask the Chair if, when the hand of the clock reaches the hour of 12, that will mean that the Senate will have adjourned, and if it further means that the old people of this country who were to have their pensions paid them out of this bill will have to wait to get them until Congress shall meet on January the 3d, in regular session, or if there is any way in this bill, of which the Vice President knows, by which these old people can get their pensions? I desire to ask that question.

The VICE PRESIDENT. In reply to the parliamentary inquiry, the Chair will state that when the hour of 12 o'clock arrives, the Senate will adjourn and the whole bill will fail.

Mr. BLACK. I desire to make a further parliamentary inquiry. Does it also mean as to the \$600,000 which is provided in this bill to inaugurate operations under the so-

called "Guffey coal law", in which the coal miners are so much interested, they will be deprived of having that law go into effect by reason of the filibuster of the Senator from Louisiana which has defeated the appropriation measure?

The VICE PRESIDENT. Whatever provisions are in the bill will fail at the hour of 12 o'clock.

Mr. BLACK. That provision is in the bill; and, as I understand the Chair in answer to my parliamentary inquiry, it means that the successful filibuster of the Senator from Louisiana will prevent the going into effect of the so-called "Guffey law" and will also prevent the old people from getting their pensions until the Congress shall meet in January and may make another appropriation?

The VICE PRESIDENT. The Chair repeats that the appropriation referred to by the Senator from Alabama will fail along with the others in case the bill shall not be finally disposed of before 12 o'clock.

Mr. LONG. Mr. President, I wish to remind Members of the Senate that this bill would have died last Saturday night if it had not been for me. The RECORD is here to show that.

Mr. BLACK. Why did the Senator save its life only to kill it and take away the hope of so many citizens at this late hour?

Mr. LONG. Oh, no. I ask my friend from Alabama to listen to me. I am satisfied he has not heard a great deal I have said tonight. Though he has been here, some of us fail to comprehend meanings. My language is rather plain; it is not in parliamentary style that would give me an advantage that my friends here have; but I am learning, I am coming along, and I promise to do better next time. Nor have I had any trips to foreign lands. I may get one of them; I have a chance for improvement. I will say, however, that my voice kept this bill alive last Saturday night, but I did not know that I was going to be asked tonight to cut the throat of the wheat farmer without giving him a chance; I did not know I would be asked to do that. I am unwilling to do it.

I was going to say, Mr. President, that I would not presume that any other body would cut the throat of the wheat farmer. I would say for my colleagues and for the President of the United States, not as they say about me, that they do not have to prove their love for humanity, and I do not have to prove mine. I have made a fortune in my lifetime and it has gone to humanity. I not only made a fortune but I sacrificed another fortune in order that I might fight for humanity. Long years ago when I was in the oil business they froze us out and took what little I had and what I was expecting to make. Years later they came to me and said, "We are going to have an amicable arbitration and adjust the damages that you suffered a few years ago when the oil combinations froze out the oil properties in which you were heavily interested."

I knew what it meant, and I said we will have no amicable adjustment. I lost mine as did 113 other companies, and I will continue to lose it; they will not at this late day pay me damages that 113 others cannot get. So I kept my right to fight for the people alive. I have nearly made another fortune since that time and spent it for humanity, and will make one this year and I will spend that for humanity, spend it for the people of this country, for the God-living blood and marrow of humanity. I do not need the little \$10,000 a year of a United States Senator. If anybody down my way that they know of needs the money, let them give it to him; I do not need it. The people of my section of the country know that I am here fighting for humanity, and you cannot bring me a bill in here and say to me cut the wheat farmers out of it and the cotton farmers out of it before it can go out of here.

Why? Not because the Senate wants it done, but because somebody else wants it done. If another body would vote that they did not want the wheat farmer or the cotton farmer in it, I would not undertake to challenge their prerogatives, but I will not say that I am going to be a party to cutting the throat of the wheat farmer before I will allow the other body to have an opportunity to say whether they want to do it or not. That is all.

This stand for principle will mean something in this country pretty soon. It may preserve legislative government. Remember what I am telling you: It may preserve legislative government, which is nearly gone. Remember what I am saying.

Mr. BLACK. Mr. President, if the Senator will yield, I will say that it may also destroy the right of free speech in the Senate. The people of the country may become so disgusted that they will cut off the right of free speech here.

Mr. LONG. No they will not. This is one time the country will approve me. I challenge Senators to find out anything I have ever stood for in this body that has not been popular among the people.

Mr. BLACK. I know the Senator has always thought it was popular, but he is going to be mistaken this time.

Mr. LONG. Am I? Then go down and help beat me. I come before the electorate in Louisiana in 4 months, and I challenge the whole dad-gummed kit and barrel of the Democratic Party to come down and beat me. I want them to beat me if they can on this issue.

Mr. BLACK. Will you let everybody vote?

Mr. LONG. Everybody votes in Louisiana. Louisiana is better than Alabama in that respect.

Mr. BLACK. Will you count their votes?

Mr. LONG. Yes; and we will count them and will let you appoint watchers as you wish, and you will see and know what the votes amount to, take it any way you like.

Mr. BLACK. I agree with the Senator in that respect.

Mr. LONG. Not only that, but Louisiana is setting an example. Formerly a man, in order to be eligible to vote, had to pay a poll tax of a dollar a year, but when the Allen administration in Louisiana came into power—

Mr. BLACK. Will the Senator yield? It is now half a minute to 12 o'clock, and I want to call the Senator's attention to the fact—

Mr. LONG. I do not yield.

Mr. BLACK. To the fact that he has been filibustering this bill to death.

Mr. LONG. No. The Allen administration in Louisiana did an unusual thing for an administration in power. It enfranchised every voter without his having to pay a dollar a year to vote, and Louisiana this year, with less population, either white or colored, than Alabama has—I think it is less—will vote twice the number of votes that Alabama polls in a similar election. Why? Because Louisiana lets every man vote, whether he has a dollar or a nickel or not.

Mr. BONE. Of course that is something to be proud of, but—

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. LONG. I do not yield.

The VICE PRESIDENT. The Senator from Louisiana declines to yield.

Mr. LONG. That is what we are proud of.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SCHWELLENBACH. It is now almost 12 o'clock. I submit as a parliamentary inquiry to the Chair whether or not, because of his selfish desire to get publicity for himself, the Senator from Louisiana has not defeated the hopes and aspirations and the desires of the people of this country?

ADJOURNMENT SINE DIE

The VICE PRESIDENT. The hour of 12 o'clock having arrived, pursuant to House Concurrent Resolution No. 40, the Senate stands adjourned sine die.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The following enrolled bills and joint resolution, heretofore duly signed by the presiding officers of the two Houses, were presented to the President of the United States by the Committee on Enrolled Bills:

On August 26, 1935:

S. 1878. An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.;

S. 2324. An act to incorporate the Military Order of the Purple Heart;

S. 2364. An act relative to the retirement of certain officers and employees;

S. 3085. An act authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose;

S. 3204. An act to provide additional funds for the completion of the Mount Rushmore National Memorial, in the State of South Dakota, and for other purposes;

S. 3433. An act limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases; and

S. J. Res. 175. Joint resolution to extend the time within which contracts may be modified or canceled under the provisions of section 5 of the Independent Offices Appropriation Act, 1934.

On August 27, 1935:

S. 1994. An act to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended.

APPROVAL OF BILLS AND JOINT RESOLUTIONS

The President of the United States, subsequent to the final adjournment of the first session of the Seventy-fourth Congress, informed the Secretary of the Senate that he had approved and signed bills and joint resolutions of the Senate, as follows:

On August 27, 1935:

S. 491. An act for the relief of Fred Herrick;

S. 1448. An act for the relief of certain claimants who suffered loss by fire in the State of Minnesota during October 1918;

S. 1832. An act to authorize the Secretary of the Interior to provide by agreement with Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for maintenance and operation on newly reclaimed Pueblo Indian lands in the Rio Grande Valley, N. Mex., reclaimed under previous acts of Congress, and authorizing an annual appropriation to pay the cost thereof for a period of not to exceed 5 years;

S. 1864. An act for the relief of the State of Nebraska;

S. 2002. An act to provide for the establishment of load lines for American vessels in the coastwise trade, and for other purposes;

S. 2203. An act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes;

S. 2215. An act to amend the act entitled "An act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929, as amended;

S. 2578. An act authorizing distribution of funds to the credit of the Wyandotte Indians, Oklahoma;

S. 2649. An act to provide for a recreation area within the Prescott National Forest, Ariz.;

S. 2681. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near West Swanton, Vt.;

S. 2888. An act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes;

S. 3194. An act to amend section 10A of the Federal Food and Drugs Act of June 30, 1906, as amended;

S. 3270. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

S. 3327. An act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Fla., and for other purposes;

S. 3336. An act to repeal titles I and II of the National Prohibition Act, to reenact certain provisions of title II thereof, to amend or repeal various liquor laws, and for other purposes;

S. 3353. An act providing for the exchange of certain park lands at and near Western Avenue and West Beach Drive

for other lands more suitable to the development of Rock Creek Park and the street system of the District of Columbia, and for other purposes;

S. J. Res. 9. Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally; and

S. J. Res. 159. Joint resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission.

On August 28, 1935:

S. 2364. An act relative to the retirement of certain officers and employees;

S. 3002. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and

S. 3414. An act to provide for the appointment of an additional district judge in the United States District Court for the Eastern District of New York.

On August 29, 1935:

S. 872. An act for the allowance of certain claims for extra labor above the legal day of 8 hours at the several navy yards and shore stations certified by the Court of Claims;

S. 1994. An act to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended;

S. 2521. An act amending section 5 of Public Law No. 264, Seventy-third Congress, approved May 29, 1934, relative to the appointment of Naval Academy graduates as ensigns in the Navy;

S. 3085. An act authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose;

S. 3204. An act to provide additional funds for the completion of Mount Rushmore National Memorial, in the State of South Dakota, and for other purposes;

S. 3433. An act limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases;

S. 3446. An act relative to limitation of shipowners' liability;

S. J. Res. 163. Joint resolution to authorize the acceptance of bids for Government contracts made subject to codes of fair competition; and

S. J. Res. 175. Joint resolution to extend the time within which contracts may be modified or canceled under the provisions of section 5 of the Independent Offices Appropriation Act, 1934.

On August 30, 1935:

S. 3303. An act to amend the act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings.

On August 31, 1935:

S. 2644. An act for the relief of the estate of Harry F. Stern; and

S. J. Res. 173. Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war.

On September 3, 1935:

S. 3210. An act to refer the claim of the Menominee Tribe of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States.

On September 4, 1935:

S. 3184. An act to provide for the immediate settlement of the obligation of the Joe Graham Post of the American Legion arising out of the purchase of the Ship Island Military Reservation.

DISAPPROVALS OF BILLS AND JOINT RESOLUTIONS

The President of the United States, subsequent to the final adjournment of the first session of the Seventy-fourth Congress, transmitted to the Secretary of the Senate the following list of bills and joint resolutions disapproved, together with his reasons therefor:

On September 3, 1935:

S. J. Res. 168. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held May 16 to May 23, 1936, inclusive.

"In all recent legislation of this character the Treasury Department has been successful in securing the incorporation of provisions for the reimbursement, to the appropriations from which paid, of the expenses necessarily incurred by the Customs Service in connection with the entry and custody of articles for which a special exemption from duty is authorized. On August 6, 1935, the Department wrote to the Chairman of the Senate Committee on Foreign Relations recommending the incorporation of a similar provision in Senate Joint Resolution 168, but none appears in the bill presented for my approval.

"The Treasury Department believes that the provision for reimbursement of expenses is an essential feature of legislation of the character of Senate Joint Resolution 168, and that its omission is inconsistent with the provision of section 3 of the bill providing that the Government of the United States is not by the resolution obligated to any expense in connection with the holding of the exposition in favor of which the bill is drawn."

On September 5, 1935:

S. 1763. An act to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service", approved May 29, 1928, as amended by the act of December 12, 1930.

"The bill involves estimated annual expenditures of \$400,000 to \$425,000.

"It appears this bill seeks only to put customs inspectors and station inspectors on a plane of equality with immigration inspectors with respect to the single feature of automatic pay increases in the two lower grades. The bill does not attempt complete uniformity of pay as to comparable employments within the two services. More significantly, it ignores other groups of customs employees who will no doubt seek legislation in their own behalf at an early date. Thus the area of unscientific classification will be further extended."

S. 2621. An act to provide funds for cooperation with the public-school board at Devils Lake, N. Dak., in the construction, extension, and betterment of the high-school building at Devils Lake, N. Dak., to be available to Indian children.

"There are no nontaxable Indian lands within this school district; and out of a total number of 1,403 pupils attending the public schools of this district only 53 are Indian pupils, for whom tuition is paid to the district by the Federal Government. It is apparent, therefore, that the responsibility for providing adequate school facilities for this district is an obligation of the district and not of the Federal Government."

S. 3092. An act to provide funds for cooperation with White Bird school district, Sioux County, N. Dak., for extension of public-school buildings to be available for Indian children.

"With a total school population in this district of 53 children, of whom 13 are Indians, there were enrolled in the school during the last school year 24 white children and no Indian children. I am advised, moreover, by the Indian Service that the interests of the small number of Indian children in this district will be best served by their continuance as pupils of a Government Indian school. Under these circumstances I feel obliged to withhold approval of this bill."

S. J. Res. 65. Joint resolution to extend the period of suspension of the limitation governing the filing of suit under section 19, World War Veterans' Act, 1924, as amended.

"Apparently the main purpose of this resolution is to afford further opportunity for persons to sue on their war-risk insurance where such action was not taken because of the passage of Public No. 2, or, because of failure to file claim at an earlier date, very little time remained for filing suit after final denial by the Administrator of Veterans' Affairs. Any meritorious claim can be filed and allowed by the Veterans' Administration without recourse to the courts.

"The Government's policy in permitting suits upon war-risk insurance has been one of great liberality. It appears to me, in the absence of clear and satisfactory evidence explaining or justifying the long delay before bringing suit, that the very delay would be an indication of the weakness of the claim. These situations only arise because of the failure of the claimant to file his claim more promptly, and is in no sense the fault of the Government."

On September 6, 1935:

S. 2632. An act to provide for the construction of 10 vessels for the Coast Guard designed for ice-breaking and assistance work.

"While it is true that the additional shallow-draft ice breakers could be used advantageously by the Coast Guard, it is my conclusion, and that of the Treasury Department, that the present needs are not such as to justify the expenditure required to provide them at this time."

On September 7, 1935:

S. 1878. An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.

"Appended hereto letter of the Acting Attorney General."

OFFICE OF THE SOLICITOR GENERAL,
Washington, D. C., August 30, 1935.

The PRESIDENT,
The White House.

SIR: Reference is made to S. 1878, introduced by Senator JOHNSON, of California, an act conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co. The attached file includes a letter of August 29, 1935, from General MacArthur. The Acting Secretary of War objects to the approval of the bill on the basis of two approved opinions of the Judge Advocate General rendered in reports on similar bills in the Seventieth and Seventy-second Congresses, respectively.

The beneficiary of this legislation did file a claim in the Court of Claims for the taking, use, and damages to this property and was awarded \$229,500, with interest on \$150,000 thereof from June 1, 1922, to date of payment.

This award was entered on June 6, 1927, and thereafter, I am advised by the letter of the War Department and by the Claims Division of the Department of Justice, which handled the suit in the Court of Claims, a stipulation was entered into that no petition for certiorari would be filed to review the award. Upon the execution of this stipulation the award was paid.

It is true that the Court of Claims refused to consider the claim for waste upon the ground that as the Government was not a lessee no covenant for waste could be implied.

The bill as drawn confers upon the Court of Claims jurisdiction to hear "the claim of the Mack Copper Co. against the United States for just compensation for the taking and use, and the damages and waste inflicted by the taking and use, of certain real property owned by the Mack Copper Co. * * *." The right to litigate is limited by the phrase "not heretofore paid by the United States to the Mack Copper Co." It would appear from this language that all claims of the type authorized in the act may be relitigated subject to a credit for the amount heretofore paid.

If this bill is approved, it will authorize the relitigation of issues already settled and, in addition to that, inject the question of waste into the proceedings.

It would furthermore appear from the file that the Mack Copper Co. has been adequately compensated for the use and damage to the property, since it acquired the property by a contract of purchase originating in 1912 and concluding in 1917 for \$338,684.82.

The letter of Congressman BURNHAM to you of August 29, 1935, states that—

"All other landowners whose lands were taken for this camp, Camp Kearny, have already been compensated by acts of Congress for use and similar damages to their lands."

I have not been able to determine whether the phrase "similar damages" applies to waste alone or to damages for which this beneficiary was compensated. Whatever may be the facts as to that, other claimants apparently received certain sums appropriated by Congress while this claimant has been granted the special advantage of a private act.

Under all the circumstances, I recommend the veto of the act.

Respectfully,

STANLEY REED,
Acting Attorney General.

S. 2324. An act to incorporate the Military Order of the Purple Heart.

"The reasons set forth in letter of Acting Secretary of War appended hereto."

WAR DEPARTMENT,
Washington, August 29, 1935.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: I am returning herewith S. 2324, "An act to incorporate the Military Order of the Purple Heart", transmitted to me by your direction for a statement as to whether or not there is any objection on the part of the War Department to its approval.

In reply, I desire to state that the War Department objects to the approval of this act for the following reasons:

The Purple Heart was created by Gen. George Washington in daily orders to the troops, on August 7, 1782. The orders directed: "The general, ever desirous to cherish a virtuous ambition in his soldiers, as well as to foster and encourage every species of military merit, directs that whenever any singularly meritorious action is performed, the author of it shall be permitted to wear on his facings, over the left breast, the figure of a heart in purple cloth, or silk, edged with narrow lace or binding."

The orders further provided that acts of extraordinary fidelity and essential service, as well as acts of unusual gallantry, should be rewarded.

The award of the Purple Heart lapsed, but by order of the President it was revived in General Orders of the War Department, No. 3, dated February 22, 1932. The Army Regulations now contain in detail the provisions for the award of the medal, and the design of the medal has been carefully defined.

While the War Department can have no objection to the formation of associations among the recipients of this medal, it believes that caution must be observed in placing in the hands of a minority of the holders of the medal the authority of Federal laws to make rules and regulations which might jeopardize the honor intended to be bestowed upon each of the thousands of persons to whom the Government has awarded the medal, or which might interfere with the rights of the War Department in the bestowal of the medal and the design of the insignia symbolic of the award.

Section 1 of the bill designates certain persons by name and such other persons as may be chosen, who are holders of the Purple Heart, duly chosen, to constitute the body corporate to be known as the "Military Order of the Purple Heart." Into whose hands the control of this body may at some time fall cannot now be known. Whether or not the charter always will be conscientiously adhered to in the interests of all holders of the medal cannot be known. All holders of the medal may not be admitted to membership; or they may in effect be denied membership because of dues, assessments, or for other reasons. Clearly there is an opportunity for a selected few to draw to themselves honor and benefits which should be bestowed equally upon all holders of the medal.

Section 4 defines the powers of the corporation. It may adopt a constitution, bylaws, and regulations to carry out its purpose. Many holders of the medal may not be members of, or may not even be aware of the existence of, the corporation. Yet the corporation, with the sanction of an act of Congress, might take actions which, before the public, would affect adversely the non-member holders of the medal.

The corporation may adopt for the purposes of the corporation emblems and badges. In the case of the Purple Heart, as with the Distinguished Service Cross and other medals, the War Department has adopted a definite design for the medal, in order that it may become generally known and recognized by all persons. Such a medal has a definite significance. The above provision would permit the supplying to members of the corporation additional emblems and badges to supplement the medal, thus multiplying the number of badges or medals for a single act or service, and thereby tend to destroy the significance of the War Department award. The provision, as a part of an approved act of Congress, might even be construed as taking out of the hands of the War Department the right to prescribe the Purple Heart Medal.

Section 6 provides that the corporation, and its local chapters, shall have the sole and exclusive right to have and to use, for its purposes, the name of the Military Order of the Purple Heart. This emphasizes the fact that an order is being created within an order, which would discriminate against the holders of the medal who are not members of the corporation.

The incorporation of this body would also be a precedent for the incorporation of groups holding other military decorations, which might seriously alter the whole scheme of military decorations.

To sum up, the award of the Purple Heart is an act, complete in itself, to indicate the recognition by the Government of a meritorious act or service for one's country. No obligation should attach to the holder of the award to join any organization to secure for himself the full honor of the award, and no organization should be set up under the authority of the Government which in any way may interfere with or reduce the prestige of any holder of the award, or give any group of holders special rights and privileges not held by all holders of the award. Ample laws are already in existence enabling the War Department to administer the award of military decorations, and it is strongly felt that no corporation should be authorized by law to have a voice in or influence in the

administering and award of any of the various authorized medals, badges, and decorations.

It is accordingly recommended that the act referred to be not approved.

Respectfully yours,

DOUGLAS MACARTHUR,
Acting Secretary of War.

NOMINATIONS

Executive nominations received by the Senate August 26 (legislative day of July 29), 1935

POSTMASTERS

ALABAMA

Alton N. Runyans to be postmaster at Ashville, Ala., in place of M. F. Boatwright. Incumbent's commission expired January 13, 1935.

George L. Davis to be postmaster at Ragland, Ala., in place of T. F. Adams. Incumbent's commission expired January 22, 1935.

Roe P. Greer to be postmaster at Sylacauga, Ala., in place of W. T. Stewart. Incumbent's commission expired December 18, 1934.

CONNECTICUT

Frank Vadnais to be postmaster at Putnam, Conn., in place of Archibald Macdonald. Incumbent's commission expired December 18, 1934.

MASSACHUSETTS

William H. Cabral to be postmaster at Provincetown, Mass., in place of N. E. Lewis, transferred.

MONTANA

Alice E. Hansen to be postmaster at West Yellowstone, Mont., in place of S. P. Eagle. Incumbent's commission expired February 27, 1935.

NORTH DAKOTA

Anna C. Connelly to be postmaster at Brocket, N. Dak., in place of C. J. Leet. Incumbent's commission expired December 18, 1933.

TEXAS

Wyatt Williamson, Jr., to be postmaster at Royse City, Tex., in place of T. J. Bailey. Incumbent's commission expired April 15, 1934.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 26 (legislative day of July 29), 1935

POSTMASTERS

ALABAMA

Alton N. Runyans, Ashville.
George L. Davis, Ragland.
Roe P. Greer, Sylacauga.

CONNECTICUT

Frank Vadnais, Putnam.

MASSACHUSETTS

William H. Cabral, Provincetown.

MONTANA

Alice E. Hansen, West Yellowstone.

NORTH DAKOTA

Anna C. Connelly, Brocket.

TEXAS

Wyatt Williamson, Jr., Royse City.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 26, 1935

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our Heavenly Father, Thou who art supremely loving, forgiving, and merciful, incline our hearts to do Thy will. We praise Thee that our God of the eternities is also our God for the moment, strong to deliver

and good to redeem. We most earnestly beseech Thee that the riotous personalities of the world may take themselves most seriously to task and by an increase of wisdom, humility, and unselfishness may cooperate with the Old World brotherhood; let folly and greed be subdued, lest they blaze once more before the eyes of men. The earth is the Lord's and the fullness thereof. We pray that all patriotism may become so pure, so humane, so just that the place of Thy holy feet shall be made heavenly. O God, give us well-poised minds, pure motives, clear consciences, and high ideals. To this end quicken our sensibilities that our acts may be made worthy, our lips clean, and our language pure. In the name of our Savior. Amen.

CALL OF THE HOUSE

Mr. WOLFENDEN and Mr. RICH made the point that no quorum was present.

The SPEAKER. The Chair will count. [After counting.] One hundred and twenty-five Members present, not a quorum.

Mr. TAYLOR of Colorado. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, the Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 204]

Allen	Dirksen	Kimball	Robson, Ky.
Andresen	Dockweiler	Kleberg	Rogers, N. H.
Andrew, Mass.	Doutrich	Kniffin	Romjue
Andrews, N. Y.	Dunn, Miss.	Kramer	Rudd
Arends	Eaton	Lamneck	Sadowski
Bacharach	Eicher	Lee, Okla.	Schaefer
Bacon	Ellenbogen	Lucas	Schuetz
Bankhead	Fernandez	McAndrews	Schulte
Beam	Fish	McCormack	Seger
Bell	Gambrill	McGroarty	Shannon
Biermann	Gasque	McLeod	Smith, Wash.
Blanton	Gassaway	McMillan	Smith, W. Va.
Brennan	Gifford	Maas	Snyder
Brewster	Gilchrist	Maloney	Somers, N. Y.
Brooks	Gillette	May	Stack
Brown, Mich.	Goldsborough	Merritt, Conn.	Stewart
Buckbee	Goodwin	Mitchell, Ill.	Stubbs
Bulwinkle	Greenway	Montague	Sutphin
Cannon, Wis.	Greenwood	Nelson	Sweeney
Carter	Haines	Norton	Taylor, Tenn.
Chandler	Hamlin	O'Brien	Thurston
Clalborne	Hart	Oliver	Tobey
Cochran	Hartley	O'Malley	Tolan
Collins	Higgins, Mass.	Parks	Treadway
Cooper, Ohio	Hill, Knute	Perkins	Underwood
Corning	Hoffman	Peyser	Wearin
Crawford	Hollister	Pierce	Williams
Cummings	Hook	Plumley	Wilson, Pa.
Darden	Jacobsen	Ryce	Withrow
Dickstein	Kee	Reed, N. Y.	Wood
Dietrich	Kerr	Robertson	

The SPEAKER. Three hundred and seven Members have answered to their names—a quorum is present.

Mr. TAYLOR of Colorado. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

THE JOURNAL

The Clerk read the Journal of the proceedings of Saturday, August 24, 1935, which was approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3783. An act for the relief of George W. Rhine, doing business under the name of Rhine & Co.;

H. R. 7974. An act to withdraw and restore to their previous status under the control of the Territory of Hawaii certain Hawaiian homes lands now in use as an airplane landing field;

H. R. 8511. An act to provide funds for cooperation with Cannon Ball school district, Sioux County, N. Dak., for extension of public-school buildings to be available for Indian children;

H. R. 8512. An act to provide funds for cooperation with Fort Yates school district, Sioux County, N. Dak., for extension